



THE CITY OF SAN DIEGO

City of San Diego
Office of the City Clerk
202 C Street
Second Floor
San Diego, CA 92101
(619) 533-4000

Recommendations
Community Planning Group/
Staff's/Planning Commission

Project Manager **must** complete the following information for the Council docket:

CASE NUMBER: 82092

Staff's:

Please indicate the recommended action for each item (i.e. Resolution/Ordinance):

Deny the appeal and uphold the Planning Commission's decision to approve the Tentative Map and approve the waiver to the requirement to underground existing overhead utilities.

Planning Commission:

(List names of Commissioners voting yea or nay)

YEAS: Ostuji, Golba, Naslund, & Ontai

NAYS: Griswold

ABSTAINING: Schultz & Smiley

Recommended Action: Approve Tentative Map No. 257318 & approve the waiver to the requirement to underground existing overhead utilities.

Community Planning Group:

Choose one:

LIST NAME OF GROUP: Greater North Park Community Planning Committee

- No officially recognized community planning group for this area.
- Community Planning Group has been notified of this project and has not submitted a recommendation.
- Community Planning Group has been notified of this project and has not taken a position.
- Community Planning Group has recommended approval of this project.
- Community Planning Group has recommended denial of this project.
- This is a matter of City-wide effect. The following community group(s) have taken a position on the item:

In favor:

Opposed: 11-0-1

By: 

Project Manager

*This information is available in alternative formats for persons with disabilities.
To request this information in alternative format, call (619)446-5446 or (800)735-2929 (TDD)*

EXECUTIVE SUMMARY SHEET

DATE REPORT ISSUED: July 31, 2008

REPORT NO.: PC-08-097

ATTENTION: Council President and City Council

ORIGINATING DEPARTMENT: Development Services Department

SUBJECT: 3650 Florida Tentative Map, Project Number 82092

COUNCIL DISTRICT: 3

STAFF CONTACT: Cherlyn Cac, (619) 446-5226, ccac@sanidiego.govREQUESTED ACTION:

Appeal of the Planning Commission's decision to approve Tentative Map No. 257318 and waive the requirement to underground existing overhead utilities to convert 24 existing residential units to condominiums at 3650 Florida Street within the Greater North Park Community Plan area.

STAFF RECOMMENDATION: DENY the appeal and uphold the Planning Commission's decision to APPROVE the Tentative Map, including the request to waive the requirement to underground existing overhead utilities.

EXECUTIVE SUMMARY:

Tentative Map No. 257318, including the request to waive the requirement to underground existing overhead utilities, to convert 24 existing residential units to condominiums was approved by the Planning Commission and subsequently appealed by Citizens for Responsible Equitable Environmental Development, c/o Cory J. Briggs, Briggs Law Corporation (Attachment 1). This is a project appeal and not an environmental appeal; therefore, the environmental issues raised are not relevant to this appeal. The project was determined to be exempt from review under the California Environmental Quality Act (CEQA) and the appeal period for that decision had expired October 18, 2005.

Although the majority of the concerns raised in the Appeal Application are environmental issues that have been previously addressed, there are references to several San Diego Municipal Code (SDMC) and California Government Code sections which are not CEQA-related and may be addressed through this project appeal. These codes sections and staff's responses are contained below:

SDMC Sections 125.0440(a)-(h): These sections describe the required findings for a Tentative Map. The State Map Act (SMA) restricts the scope of the City's review and limits the findings that apply to the conversion of existing buildings into condominiums. SMA Section 66427 precludes the City from reviewing the building design and the division of the airspace and SMA Section 66427.2 exempts condo conversions from six of the eight standard Tentative Map findings. Based on the above, only findings 125.0440 (b) and (h) apply to condominium conversion projects and the appellant's assertion that all of the findings listed in 125.0440 (a)-(h) apply is incorrect. The two findings that do apply are described below.

SDMC Section 125.0440(b): *"The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code."* This project has been reviewed by staff and determined to be in compliance with the applicable zoning and development regulations, including the new condominium conversion regulations, as appropriate. Although the project does not comply with the current requirements for new construction, the project is allowed to maintain their current configuration because no

additional units or expansion are proposed and it is considered previously conforming for density and development standards.

SDMC Section 125.0440(h) and California Government Code Section 66412.3: *“The decisionmaker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources.”* This condominium project was approved by the Planning Commission, who was the decisionmaker required to make this finding. Staff believes the intent of this required finding is to respond to “leapfrog” development and to provide necessary public facilities for additional housing in communities. In this instance there is no net loss or gain of housing units, therefore, staff believes this appeal point is not valid.

SDMC Sections 142.1304 and 142.1305: These sections describe the requirements for approving a variance or waiver from the City’s inclusionary housing requirements. The project would comply with the City’s requirements either by paying an in-lieu fee or by providing onsite affordable housing. This project is not requesting a variance or waiver from the inclusionary housing requirements; therefore, these code sections are not relevant to this approved condominium conversion project.

The appeal also asserts that the Housing Element of the City’s General Plan has become invalid due to the City’s failure to revise it lawfully and in a timely manner. The current Housing Element was adopted by the City Council on December 5, 2006, and certified by the U.S. Department of Housing and Urban Development on February 5, 2007. This project was approved after the certification of the most recent Housing Element update. A 2007 California appeals court case addressed the question about whether a housing element updated beyond time periods identified in Government Code Section 65588 is invalid and determined that it was not. Therefore, the City’s Housing Element has never been considered invalid and would not be grounds for denial of this project.

FISCAL CONSIDERATIONS:

None. All costs associated with the processing of this project are paid by the applicant.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

On August 7, 2008, Planning Commission voted on consent to approve Tentative Map No. 257318 and approve waiver to the requirement to underground existing overhead utilities, passed by a vote of 4-1-2 with Commissioner Griswold voting nay and Commissioner’s Schultz & Smiley not present.

On January 17, 2006, the Greater North Park Planning Committee voted 11-0-1 to recommend denial of the project. Denial was based on insufficient parking and no renderings presented to the committee.

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

Owners: Matthew Browar and Nancy Browar; Applicant: D. Scott Peters, Sterling Land Services, Inc.; Citizens for Responsible Equitable Environmental Development, c/o Cory J. Briggs, Briggs Law Corporation. Other key stakeholders include those associated with condominium conversions in the development industry, the housing industry, and residents.

000405

Kelly Broughton
Kelly Broughton
Director, Development Services Department

William Anderson
William Anderson
Deputy Chief Operating Officer
Executive Director of City Planning and
Development

ATTACHMENTS:

1. Briggs appeal application
2. Briggs project opposition letter to Planning Commission
3. Draft City Council Tentative Map Resolution
4. Report to the Planning Commission, Report No. PC-08-097
5. Environmental Exemption



City of San Diego
Development Services
1222 First Ave. • 3rd Floor
San Diego, CA 92101-4154
(619) 446-5210

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Development Permit Appeal Application

THE CITY OF SAN DIEGO www.sandiego.gov/development-services

See Information Bulletin 505, "Development Permits Appeal Procedure," for information on the appeal procedure.

1. Type of Appeal:
- Process Two Decision - Appeal to Planning Commission
 - Process Three Decision - Appeal to Planning Commission
 - Process Three Decision - Appeal to Board of Zoning Appeals
 - Appeal of a Hearing Officer Decision to revoke a permit
 - Process Four Decision - Appeal to City Council

2. Appellant Name *Please check one* Applicant Officially recognized Planning Committee "Interested Person" (Per M.C. Sec. 113.0103)
Affordable Housing Coalition of San Diego County and Citizens for Responsible Equitable Environmental Development,
c/o Cory J. Briggs, Briggs Law Corporation

Address	City	State	Zip Code	Telephone
99 East "C" Street, Suite 111, Upland, CA 91786				909-949-7115

3. Applicant Name (As shown on the Permit/Approval being appealed). Complete if different from appellant.

Unknown

4. Project Information	Date of Decision:	City Project Manager:
Permit/Approval Being Appealed & Permit/Approval No.: <u>82092-3650 Florida T.M.</u>	<u>8/7/08</u>	<u>Cheryl CAC</u>

Decision (describe the permit/approval decision):
The Planning Commission approved the application for a tentative map to convert residential units to condominiums without preparing an initial study or performing other study under the California Environmental Quality Act and in violation of other applicable laws, including the Subdivision Map Act.

5. Reason for Appeal
- Factual Error
 - Conflict with other matters
 - Findings Not Supported
 - New Information
 - City-wide Significance (Process Four decisions only)

Description of Reasons for Appeal (Please relate your description to the allowable reasons for appeal noted above. Attach additional sheets if necessary.)

The Planning Commission erred in approving the project without first preparing an initial study or performing any other study under the California Environmental Quality Act and in violation of San Diego Municipal Code §§ 125.0440(a)-(h), 142.1304, and 142.1305 and Government Code § 66412.3. The project does not qualify for exemption under section 15301 of the CEQA Guidelines. Furthermore, the project does not qualify for exemption due to the cumulative and other potential adverse environmental impacts of converting apartments to condominiums, especially in light of the numerous proposed conversions and the serious decline in affordable housing that the City of San Diego is facing. The City also has an independent obligation to conduct this environmental review under CEQA and the Subdivision Map Act (§ 66474). The opposition letter submitted by Briggs Law Corporation prior to approval of the project provides additional information that supports this appeal, including but not limited to the City's inability to make the finding required by Government Code § 66473.5 because the housing element has become invalid due to the City's failure to revise it lawfully and in a timely manner under Government Code § 65588(e). Evidence of cumulative impacts and other potential adverse environmental impacts of the conversions may not have been available to the person(s) on staff who made the determination of exemption or to the public until after the appeal period for the determination expired.

6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature Cory J. Briggs Date August 8, 2008

Note: Faxed appeals are not accepted.

000408

BRIGGS LAW CORPORATION

#16

San Diego Office:
5603 Balboa Avenue, #10. 376
San Diego, CA 92111-2705

Telephone: 352-495-9082
Facsimile: 858-295-9136

Please respond to: Inland Empire Office

Planning Commission
City of San Diego
202 C Street
San Diego, CA 92101

Inland Empire Office:
99 East "C" Street, Suite 111
Upland, CA 91786

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B.L.C. File #: 1007.98

August 5, 2008

Re: Project Number: 82092
Project Name: 3650 Florida Tentative Map
Commission Meeting Date: August 7, 2008

Dear Planning Commission:

On behalf of Citizens for Responsible Equitable Environmental Development and the Affordable Housing Coalition of San Diego County, I am writing to express my clients' opposition to approval of the above-referenced project, which is scheduled to be considered by the Planning Commission on the above-identified date.

My clients oppose approval of the project on the grounds that converting apartments to condominiums is subject to environmental review under the California Environmental Quality Act. The exemptions set forth in Section 15301 of the CEQA Guidelines do not apply to the project. Furthermore, the cumulative and other potential significant impacts of converting apartments to condominiums make the exemption inapplicable. Evidence of the project's cumulative adverse impacts is contained in, among other sources, (i) the City Attorney's memorandum dated November 10, 2005, regarding the applicability of CEQA to condominium conversions; (ii) the City Manager's report no. 05-060; (iii) the City Manager's report no. 05-060 rev.; (iv) the City Manager's report no. 05-106; (v) the City Manager's report no. 05-163; (vi) the City Council's prior resolutions declaring a state of emergency over the lack of affordable housing; and (vii) the City's current housing element (e.g., its comments about the environmental effects of condo conversions and the loss of affordable housing). Additionally, the project should be denied because your action in approving it would violate San Diego Municipal Code §§ 125.0440(a)-(h), 142.1304, and 142.1305 and Government Code §§ 66412.3 and 66474 (by not proceeding in the manner prescribed by law, not making all necessary findings, and not supporting the findings with sufficient evidence). Lastly, the project should not be approved because it is inconsistent with the housing element, thus precluding the necessary finding under Government Code § 66473.5; the housing element has not been lawfully revised as required by Government Code § 65588(e)(5) and therefore is invalid. My clients therefore urge the City of San Diego to comply with all applicable laws before approving the project or to deny approval.

Thank you for giving this matter the attention that it deserves.

Sincerely,

BRIGGS LAW CORPORATION

Cory Briggs
Cory Briggs

CITY COUNCIL
RESOLUTION NO. _____
TENTATIVE MAP NO. 257318

3650 FLORIDA STREET TENTATIVE MAP - PROJECT NO. 82092
DRAFT

WHEREAS, MATTHEW S. BROWAR AND NANCY A. BROWAR, IN THEIR CAPACITY AS TRUSTEES OF THE M.S. BROWAR FAMILY TRUST DATED 2/9/88, Applicant/Subdivider, and DONALD SCOTT PETERS, Surveyor, submitted an application with the City of San Diego for a Tentative Map No. 257318 to convert 24 residential units into condominiums and to waive the requirement to underground existing overhead utilities. The project site is located 3650 Florida Street, on the north west corner of Cypress Avenue and Florida Street, in the MR-1000 Zone of Mid City Communities Planned District within the Greater North Park Community Plan area. The property is legally described as Lots 41, 42, 43, 44, 45 and 46 of Virginia Square, Map No. 1597, filed September 18, 1913; and also all that portion of the north 10 feet of Cypress Avenue lying south of and adjoining lots 41 to 46 inclusive as vacated and closed to public use on July 22, 1914 by Resolution No. 17809 of the City Council of the City of San Diego; and

WHEREAS, the Map proposes the subdivision of a 0.6 acre site into one (1) lot for a 24 unit residential condominium conversion; and

WHEREAS, the project is exempt from environmental review pursuant to Section 15301(K) of the California Environmental Quality Act (CEQA) on the basis that the facilities are existing; and

WHEREAS, a preliminary soils and geological reconnaissance report are waived by the City Engineer pursuant to the Subdivision Map Act and Section 144.0220 of the Municipal Code of the City of San Diego; and

WHEREAS, the subdivision is a condominium project as defined in Section 1350 et seq. of the Civil Code of the State of California and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is 24; and

WHEREAS, on August 7, 2008, the Planning Commission of the City of San Diego considered Tentative Map No. 257318, including the waiver of the requirement to underground existing overhead utilities, and voted 4-1-2 to approved the project, by Resolution No. 4440-PC; and

WHEREAS, on November 17, 2008, the City Council of City of San Diego considered Tentative Map No. 257318, including the waiver of the requirement to underground existing overhead utilities, and pursuant to Sections 125.0440 (tentative map), 125.0444 (condo conversion), and 144.0240 (underground) of the Municipal Code of the City of San Diego and Subdivision Map Act Section 66428, received for its consideration written and oral presentations, evidence having been submitted, and heard testimony from all

interested parties at the public hearing, and the City Council having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego, that it adopts the following findings with respect to Tentative Map No. 257318:

1. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (Land Development Code Section 125.0440.b).
2. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (Land Development Code Section 125.0440.h and State Map Act Section 66412.3).
3. Each of the tenants of the proposed condominium project has received, pursuant to State Map Act Section 66452.9, written notification of intention to convert at least 60 days prior to the filing of a tentative map (Land Development Code 125.0444 and State Map Act Section 66427.1(a)).
4. The project has been conditioned that the Subdivider will give each tenant, and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the State Map Act (Land Development Code Section 125.0444 and State Map Act Section 66427.1(a)).
5. The project has been conditioned that the Subdivider will give each tenant 10 days' written notification that an application for a public report will be, or has been, submitted to the Department of Real Estate, and that such report will be available on request (Land Development Code Section 125.0444 and State Map Act Section 66427.1(a)).
6. The project has been conditioned that the Subdivider will give each tenant of the proposed condominium project written notification within 10 days of approval of a final map for the proposed conversion (Land Development Code Section 125.0444 and State Map Act Section 66427.1(b)). If the subdivider chooses to provide affordable housing units, the subdivider shall enter into an affordable housing agreement with the Housing Commission, prior to recordation of the Final Map.
7. The project has been conditioned that the Subdivider will give each of the tenants of the proposed condominium project 180 days' written notice of intention to convert prior to termination of tenancy due to the conversion or proposed conversion (Land Development Code Section 125.0444 and State Map Act Section 66427.1(c)).

8. The project has been conditioned that the Subdivider will give each of the tenants of the proposed condominium project notice of an exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant, which notice shall be provided within 5 working days of the issuance of the Subdivision Public Report.. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right (Land Development Code Section 125.0444 and State Map Act Section 66427.1(d)).
9. The project was not financed by funds obtained from a governmental agency to provide for elderly, disabled, or low income housing (Land Development Code Section 125.0444.b).
10. For any project that was developed to provide housing for the elderly, disabled or to provide low income housing, provisions have been made to perpetuate the use for which the project was developed (Land Development Code Section 125.0444.c).
11. Each of the tenants of the proposed condominium project has received written notification of the project application for the condominium conversion within 10 days after the application was deemed complete (Land Development Code 125.0431(a)(3)).
12. The project has been conditioned that the subdivider will give each person applying for the rental of a unit in such residential real property written notification that the project application for the condominium conversion was deemed complete (Land Development Code 125.0431(a)(3)).
13. The project has been conditioned that the subdivider will give each tenant a notice of termination of tenancy 60 days prior to being required to vacate the property. (Land Development Code Section 125.0431(a)(4)).
14. A Building Conditions Report has been prepared in accordance with the Land Development Manual by a registered architect or engineer licensed by the State of California (Land Development Code Section 144.0504(b)).
15. The project has been conditioned that the subdivider will provide to a prospective purchaser a copy of the Building Conditions Report prior to the opening of an escrow account. (Land Development Code Section 144.0504(c)).
16. The project has been conditioned that the subdivider will provide a relocation assistance payment to all tenants of the project whose tenancy has terminated due to the condominium conversion. (Land Development Code Section 144.0505).

17. The project has been conditioned for the subdivider to complete the physical improvements as outlined in Land Development Code Section 144.0507, to the satisfaction of the City Engineer prior to final map approval.
18. The project has been conditioned for the subdivider to satisfy the inclusionary housing requirements on-site in accordance with Land Development Code Section 142.1306. (Land Development Code Section 144.0508).
19. The requested underground waiver of the existing overhead facilities, qualifies under the guidelines of Council Policy No. 600-25 *Underground Conversion of Utility Lines at Developers Expense* in that:
 - a. The conversion involves a short span of overhead facility, less than 600 feet in length.
 - b. The conversion would not represent a logical extension to an underground facility.
20. That said Findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that, based on the Findings hereinbefore adopted by the City Council, Tentative Map No. 257318 including the waiver of the requirement to underground existing overhead utilities, is hereby granted to MATTHEW S. BROWAR AND NANCY A. BROWAR, IN THEIR CAPACITY AS TRUSTEES OF THE M.S. BROWAR FAMILY TRUST DATED 2/9/88, Applicant/Subdivider, subject to the following conditions:

GENERAL

1. This Tentative Map will expire November 17, 2011.
2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of Final Map, unless otherwise noted.
3. Prior to the Tentative Map expiration date, a Final Map to consolidate the existing lots into one lot shall be recorded in the Office of the County Recorder.
4. Prior to the issuance of the Final Map taxes must be paid on this property pursuant to section 66492 of the Subdivision Map Act. A tax certificate, recorded in the office of the County Recorder, must be provided to satisfy this condition
5. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages,

judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, including, but not limited to, any to any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant

6. The subdivider shall provide a Notice of Tenants Rights and Notices for Condominium Conversion, consistent with the Land Development Manual to be provided as follows:
 - a. For existing tenants, within 10 days of the project application for the *condominium conversion* being deemed complete; or
 - b. For prospective tenants, upon application for the rental of a unit in the proposed *condominium conversion*.
7. The Subdivider shall provide each tenant, and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the State Map Act.
8. The Subdivider shall provide the tenants a Notice of Application for a Public Report at least 10 days prior to the submittal to the Department of Real Estate (DRB), pursuant to Section 66427.1(a) of the Subdivision Map Act.
9. The Subdivider shall provide each of the tenants of the proposed condominiums *written notice of intention to convert at least 180 days prior to termination of tenancy* due to the conversion or proposed conversion in conformance with Section 66427.1(c) of the Subdivision Map Act. The provisions of this subdivision shall not alter nor abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent, or the obligations imposed by Sections 1941, 1941.1 and 1941.2 of the Civil Code.

10. The Subdivider shall provide each of the tenants of the proposed condominiums notification of their exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant, in conformance with Section 66427.1(d) of the State Map Act. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report, pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right.
11. The Subdivider shall provide the tenants of the proposed condominiums with written notification within 10 days or approval of a Final Map for the proposed conversion, in conformance with Section 66427.1(b) of the Subdivision Map Act.

AFFORDABLE HOUSING

12. Prior to issuance of the Final Map, the Subdivider shall comply with the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code). Prior to receiving a Final Map, the Subdivider must enter into an agreement with the San Diego Housing Commission to assure the set aside at least 10 percent of the units affordable to households with an income at or below 100 percent area median income (AMI).
13. Prior to the recordation of the Final Map, the Subdivider shall either show evidence that relocation assistance has been paid to eligible tenants or enter into an agreement with the San Diego Housing Commission to demonstrate conformance with the Municipal Code provisions for Tenant Relocation Benefits (Chapter 14, Article 4, Division 5, Section 144.0505). In addition, the Subdivider must pay the appropriate fees incurred by the Housing Commission for compliance monitoring (Chapter 14, Article 4, Division 5, Section 144.0503).
14. The Subdivider will give each tenant a notice of termination of tenancy 60 days prior to being required to vacate the property. (Land Development Code Section 125.0431(a)(4)).
15. The Subdivider will provide to a prospective purchaser a copy of the Building Conditions Report prior to the opening of an escrow account. (Land Development Code Section 144.0504(c)).

ENGINEERING

16. The Subdivider shall replace the damaged portions of sidewalk, maintaining the existing sidewalk scoring pattern and preserving any contractor's stamp, adjacent to the site along Florida Street and Cypress Avenue.

17. Pursuant to City Council Policy 600-20, the Subdivider shall provide evidence to ensure that an affirmative marketing program is established.
18. The Subdivider shall re-construct the driveways to current City standards, adjacent to the site on Florida Street and Cypress Avenue. The driveway on Florida Street shall only be as wide as necessary to access parking spaces numbered 1 thru 5.
19. The Subdivider shall obtain an Encroachment Maintenance Removal Agreement for the non-standard driveway on Cypress Avenue.
20. The Subdivider shall enter into an agreement to indemnify, protect and hold harmless City, its officials and employees from any and all claims, demands, causes or action, liability or loss because of, or arising out of runoff from the Cypress Avenue right-of-way.
21. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
22. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
23. Prior to the recordation of the final map, the Subdivider shall reconstruct the existing curb ramp adjacent to the project to meet current City standards.
24. Prior to the recordation of the final map, the Subdivider shall remove the northerly unused driveway and curb opening along Florida Street adjacent to the property and replace the opening with City standard curb and gutter satisfactory to the City Engineer.
25. Prior to the recordation of the final map, the Subdivider shall obtain an Encroachment Maintenance and Removal Agreement, for all private improvements and landscaping located in the public right-of-way satisfactory to the City Engineer.
26. Prior to the recordation of the Final Map, the subdivider shall demonstrate conformance with the Municipal Code provisions for building and landscape improvements (Land Development Code Sections 144.0507), to the satisfaction of the City Engineer. The parking requirements in Land Development Code Sections 144.0507 and 142.0525.a do not apply, since this project was deemed complete prior to the effective date of this ordinance (July 27, 2006).

27. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the tentative map and covered in these special conditions will be authorized.

All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

MAPPING

28. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
29. "California Coordinate System means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
30. The Final Map shall:
- a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as *ground distances*. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

SEWER AND WATER

31. Sewer and Water Requirements:
- a. The Subdivider shall install appropriate private back flow prevention devices on all existing and proposed water services (domestic, irrigation, and fire)

adjacent to the project site in a manner satisfactory to the Water Department Director.

- b. The Subdivider shall provide a letter, agreeing to prepare covenants, conditions and restrictions (CC&Rs) for the operation and maintenance of all private water and sewer facilities that serve or traverse more than a single condominium unit or lot.

LANDSCAPE

32. Prior to recordation of the Final Map, complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with the Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department.
33. Prior to recordation of the Final Map, and after Landscape and Irrigation Construction Documents have been approved by Development Services, the Subdivider shall install all required landscaping consistent with the approved plans and the Land Development Manual, Landscape Standards.
34. Prior to recordation of the Final Map, it shall be the responsibility of the Subdivider/Owner to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.
35. The Landscape Construction Plan shall take into account a 40 sq-ft area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)5.
36. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.
37. The Subdivider or Owner(s) shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review by a Landscape Planner.
38. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is

damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or prior to a Certificate of Occupancy or a Final Landscape Inspection.

INFORMATION:

- The approval of this Tentative Map by the Planning Commission of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC Section 1531 et seq.).
- If the subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), then the subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map, may protest the imposition within 90 days of the approval of this Tentative Map by filing a written protest with the City Clerk pursuant to California Government Code Section 66020.
- Where in the course of development of private property, public facilities are damaged or removed the property owner shall at no cost to the City obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer. Municipal Code Section 142.0607.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SAN DIEGO,
CALIFORNIA, ON NOVEMBER 17, 2008.

By

CITY ATTORNEY

Job Order No. 42-5143



C00419

THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: July 31, 2008 REPORT NO. PC-08-097

ATTENTION: Planning Commission, Agenda of August 7, 2008

SUBJECT: 3650 FLORIDA TENTATIVE MAP - PROJECT NO. 82092
PROCESS FOUR

OWNER/ APPLICANT: Matthew Browar and Nancy Browar (Attachment 9)/
D. Scott Peters, Sterling Land Services, Inc.

SUMMARY

Issue(s): Should the Planning Commission approve a Tentative Map and waive the requirement to underground existing overhead utilities to convert 24 existing residential units to condominium located at 3650 Florida Street in Greater North Park Community Plan area?

Staff Recommendations:

1. APPROVE Tentative Map No. 257318; and
2. APPROVE waiver to the requirement to underground existing overhead utilities.

Community Planning Group Recommendation: On January 17, 2006, the Greater North Park Planning Committee voted 11-0-1 to recommend denial of the project (Attachment 8). Denial was based on insufficient parking and no renderings presented to the committee.

Environmental Review: The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19, Section 15301(k) as Existing Facilities. This project is not pending an appeal of the environmental determination. The environmental determination for this project was made on September 27, 2005, and the opportunity to appeal that determination ended October 18, 2005.

Fiscal Impact Statement: None with this action. All costs associated with the processing of this project are paid by the applicant.



Code Enforcement Impact: None with this action.

Housing Impact Statement: With the proposed conversion of 24 existing apartments to condominiums, there would be a loss of 24 rental units and a gain of 24 for-sale units. The applicant must enter an agreement with the Housing Commission to assure at least 10 percent of the 24 units will be provided as affordable. This project was deemed complete September 16, 2005 and is subject to the current inclusionary housing regulations and tenant relocation assistance.

BACKGROUND

This Tentative Map project is subject to the condominium conversion regulations effective June 13, 2006, with the exception of the parking regulations, based on the City Council's specific adoption language for the "new" condominium conversion regulations. At the June 13, 2006 hearing, the City Council adopted regulations for additional requirements for landscaping, a building conditions report, on-site inclusionary housing, noticing and parking. Based on the adopted language and project timing, all of these new regulations apply to this project, with the exception of the parking requirements.

The 0.60-acre project site is located at 3650 Florida Street in the MR-1000 zone of the Mid-City Communities Planned District within the Greater North Park Community Plan (Attachment 1). The Greater North Park Community Plan area designates this site for medium-high residential (Attachment 2). The site is presently development with four, two-story buildings for a total of 24 units. There are 16 two-bedroom units, three one-bedroom units and five studio units. Twelve parking spaces are provided on site. Five parking spaces are accessed from Florida Street and seven parking spaces are accessed from Cypress Avenue. Multi-family residential development is located to the west and south of the project site. A mixture of single family and multi-family development is located to the north and east of the project.

The existing buildings were constructed in 1944. The four buildings were moved to the Florida Street site in 1958 by the Lafayette Hotel. One of the buildings was expanded to include four units in 1958. During the move-on and building addition, the site was zoned R-4 which permitted multiple unit residential development with unlimited density and therefore, the twenty-four residential units were allowed on the site. The original development of the site in 1958 had no parking requirements. The site is currently zoned MR-1000 which would allow 26 units on site. Current parking regulations would require 37 parking spaces on site and 12 parking spaces are provided to be maintained with previously conforming rights. The development complied with the zoning and development regulations in effect at the time of construction.

DISCUSSION

Project Description:

The current application proposes a Tentative Map for the subdivision of a 0.60 acre site to

convert twenty four existing residential units into condominiums. The applicant is also requesting the requirement for the undergrounding of existing overhead utilities. Section 125.0410 of the San Diego Municipal Code (SDMC) requires a Tentative Map be processed for the subdivision of land. According to SDMC Sections 125.0440 and 124.0444, Findings for Tentative Maps and for Condominium Conversions, the decision maker may approve a Tentative Map for the purposes of the conversion of residential property into a condominium project if the decision maker finds that the proposed conversion complies with the requirements of the Subdivision Map Act and the San Diego Municipal Code. Staff has reviewed the proposed condominium conversion and determined that it complies with both the Subdivision Map Act and the San Diego Municipal Code.

Undergrounding of Existing Utilities

San Diego Municipal Code Section 144.0240 allows the subdivider to apply for a waiver from the requirement to underground the existing overhead utilities within the boundary of the subdivision or within the abutting public rights of way. City staff has determined the undergrounding waiver request qualifies under the guidelines of Council Policy 600-25, Underground Conversion of Utility Lines at the Developer's Expense, in that the conversion involves a short span of overhead facility (less than 600 feet in length) and the conversion would not represent a logical extension to an underground facility.

The applicant will be required to underground all existing services to the site per Condition No. 22 of the draft Tentative Map resolution (Attachment 7). The applicant would also be required to underground any new service run to any new or proposed structures within the subdivision per Condition 21 of the draft Tentative Map resolution (Attachment 7).

The neighborhood currently contains power poles and overhead utility lines on the north of the property and along Cypress Avenue and Florida Street, which the utility lines to these poles extend to other properties. All utilities serving this property will be required to be undergrounded. The City's Undergrounding Master Plan designates the site within Block 3R2, and the date for undergrounding has been established for the year 2051 (Attachment 11).

Project-Related Issues:

The requested conversion of these residential units to condominiums represents primarily a change in ownership. The applicant has certified that the required 60-day Notice of Intent to Convert to Condominiums was provided to the tenants on May 6, 2005 (Attachment 12).

Inclusionary Housing Ordinance and Tenant Relocation Benefits Conformance:

The project has been conditioned to require the subdivider to conform with the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code) and demonstrate conformance with the Municipal Code provisions for Tenant Relocation Benefits (Chapter 14, Article 4, Division 5).

The applicant must enter into an agreement prior to receiving a Final Map with the San Diego Housing Commission to assure the project provides at least 10 percent of the 24 units as affordable to households with an income at or below 100 percent area median income (AMI). The applicant must also show evidence that relocation assistance has been paid to eligible tenants or enter into an agreement with the San Diego Housing Commission to demonstrate conformance with Tenant Relocation Benefits.

Building Conditions Report and Landscape Requirements

In accordance with the current regulations, the applicant provided a Building Conditions Report and Landscape Concept Plan. Both of these documents have been reviewed for conformance with the applicable regulations within Land Development Code (Chapter 14, Article 4, Division 5) and have been accepted by staff as conforming with the regulations (Attachment 6 and 14).

Community Planning Group Recommendation

On January 17, 2006, the Greater North Park Community Planning voted 11-0-1(abstained) to deny the project because there is insufficient parking and no renderings were presented to the committee.

Staff's response: This project has previously conforming rights to parking as outlined in Chapter 12, Article 7, Division 1 of the Land Development Code. Additional parking is not a requirement of this application. Staff has not made this a condition of the Tentative Map.

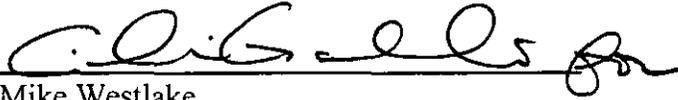
CONCLUSION

Staff has reviewed the request for a Tentative Map for the conversion of 24 residential units into condominiums and has found the project to be in conformance with the applicable sections of the San Diego Municipal Code regulating Tentative Maps and the waiver from the requirement to underground the existing overhead utilities. Staff recommends the Planning Commission approve the project as proposed.

ALTERNATIVES

1. **Approve** Tentative Map No. 257318 and the waiver from the requirement to underground existing overhead utilities, **with modifications.**
2. **Deny** Tentative Map No. 257318 and waiver of the requirement to underground existing overhead utilities, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department

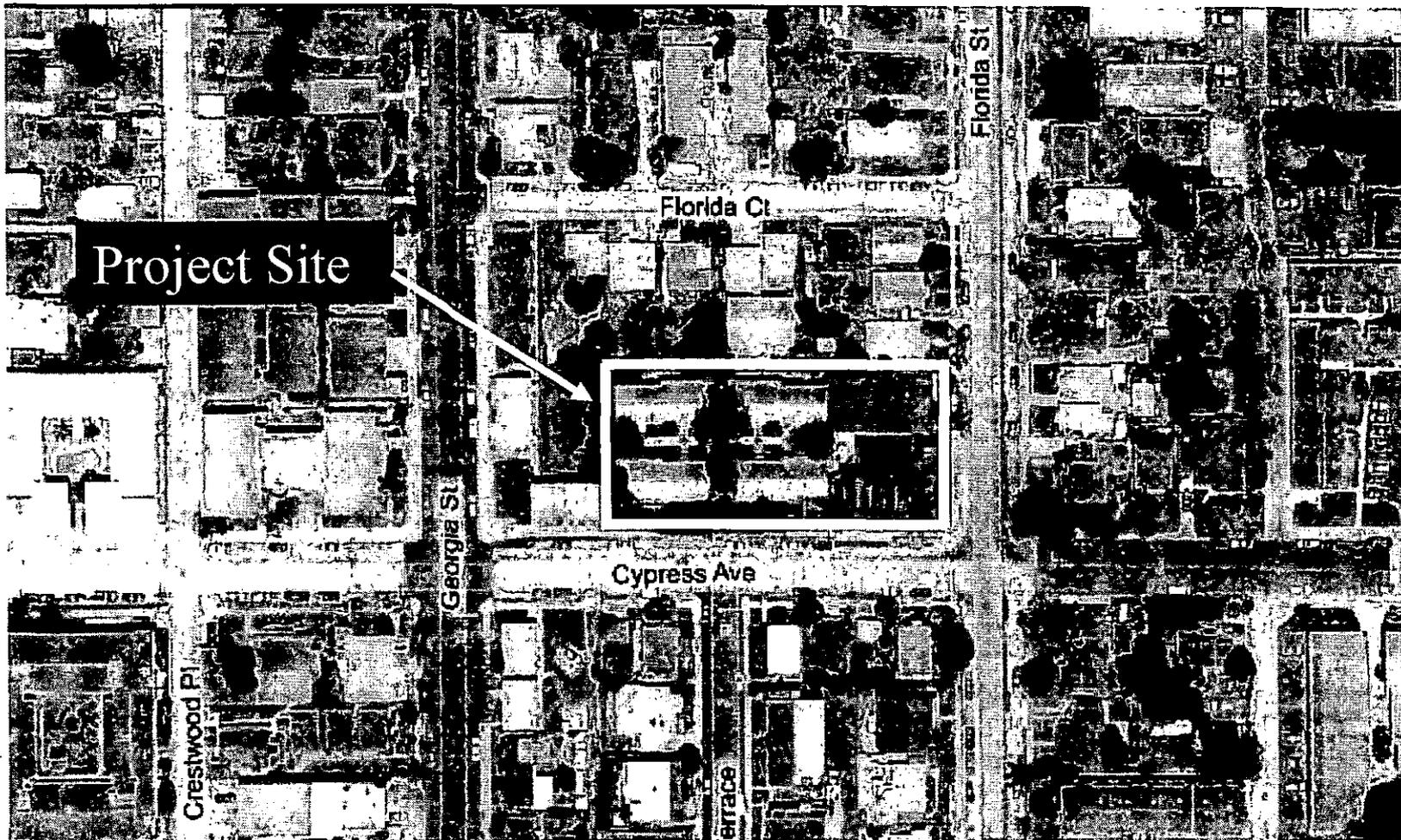


Cherlyn Cac
Project Manager
Development Services Department

KGB/CTC

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Tentative Map
6. Landscape Plan
7. Draft Map Conditions and Subdivision Resolution
8. Community Planning Group Recommendation
9. Ownership Disclosure Statement
10. Project Chronology
11. Utility Underground Project Schedule
12. Sample 60-Day Notice of Intent to Convert
13. Photos of Existing Elevations
14. Building Conditions Report (under separate cover)



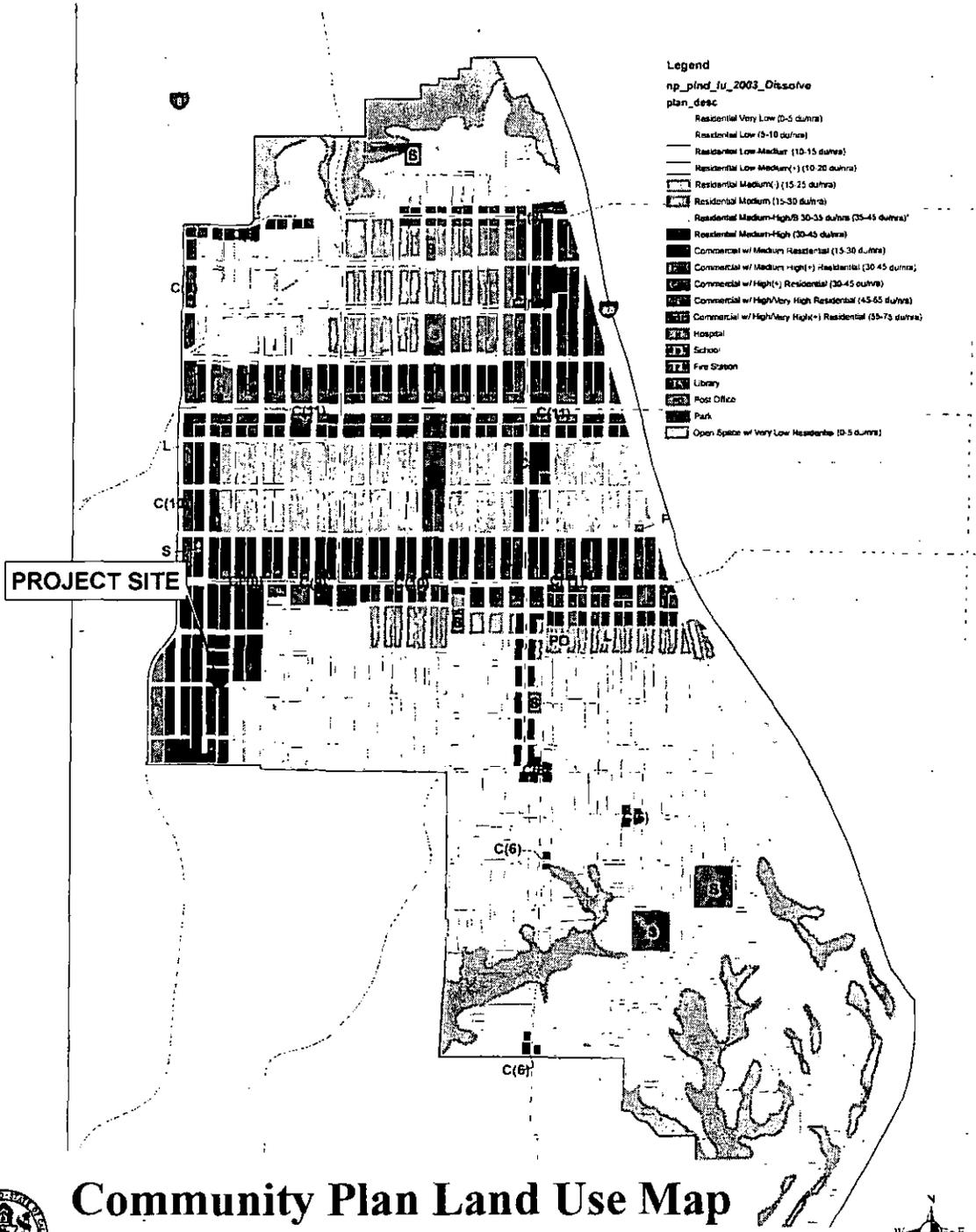
Aerial Photo

3650 FLORIDA TENTATIVE MAP - PROJECT NO. 82092

3650 Florida Street



City of San Diego Planning Department
Greater North Park Community Plan Land Use



PROJECT SITE



Community Plan Land Use Map

3650 FLORIDA TENTATIVE MAP –PROJECT NO. 82092

3650 Florida Street





Project Location

3650 FLORIDA TENTATIVE MAP - PROJECT NO. 82092

3650 Florida Street



000428

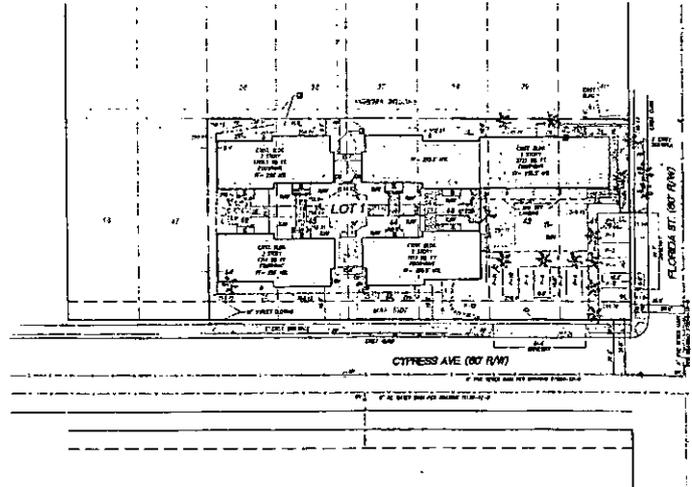
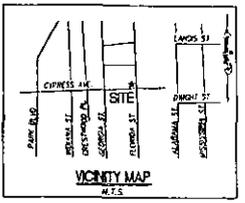
PROJECT DATA SHEET FOR CONDOMINIUM CONVERSIONS

PROJECT NAME:	3650 Florida Tentative Map	
PROJECT DESCRIPTION:	Conversion of 24 residential units to condominium ownership and a waiver from the requirement to underground existing utilities.	
COMMUNITY PLAN AREA:	Greater North Park Community Plan area.	
DISCRETIONARY ACTIONS:	Tentative Map and utility underground waiver	
COMMUNITY PLAN LAND USE DESIGNATION:	Medium-high residential density 30-45 du/nra	
<u>CURRENT ZONING INFORMATION:</u>	<u>CONSTRUCTED: 1958</u>	
ZONE: MR-1000	R-4	
DENSITY: 1 unit per 1,000 sf of lot area	Unlimited	
HEIGHT LIMIT: 40 ft.; 50 ft. over enclosed parking	NA	
LOT SIZE: 6,000 sf min.	26,400 sf	
FLOOR AREA RATIO: 0.75 max.	NA	
FRONT SETBACK: 10 ft.	11.2 ft.	
SIDE SETBACK: 6 ft.	9.1 ft.	
STREETSIDE SETBACK: 6 ft.	18.5 ft.	
REAR SETBACK: 1 ft. if alley; 15 ft. if no alley	5 ft. with no alley	
PARKING: 37 spaces required	12 spaces	
<u>ADJACENT PROPERTIES:</u>	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Medium-High Residential; MCCPD-MR-1000	Multi-family & Single family
SOUTH:	Medium-High Residential; MCCPD-MR-1000	Multi-family
EAST:	Medium-High Residential; MCCPD-MR-1000	Multi-family & Single family
WEST:	Medium-High Residential; MCCPD-MR-1000	Multi-family
DEVIATIONS OR VARIANCES REQUESTED:	None	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On January 17, 2006, the Greater North Park Planning Committee voted 11-0-1 to recommend denial of the project.	

TENTATIVE MAP NO. 257318

3650 FLORIDA ST.

CITY PROJECT NO. 82092



GENERAL NOTES

- PRESENT AND PROPOSED ZONING IS M-1000
COMMUNITY PLAN - GREATER NORTH PARK
OVERLAY EDGE, TRACT AREA
PLANNED DISTRICT, MID-CITY COMMUNITIES
RESIDUAL NEIGHBOR CATEGORY 21
- TOTAL LOT AREA 0.8 ACRES
EXISTING BUILDING FOOTPRINT 3,804.5 SQ. FT.
- TOTAL NUMBER OF EXISTING LOTS = 4
TOTAL NUMBER OF PROPOSED LOTS = 1
- THIS SUBDIVISION IS A CONDOMINIUM PROJECT AS DEFINED IN SECTION 11801 ET SEQ. OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT. THE TOTAL NUMBER OF CONDOMINIUM UNITING UNITS IS 24.
- LOT SUBDIVISION:

LOT NO.	USE	UNITS	PARKING
CONDOMINIUMS		24	12
- STRUCTURE DEDICATED 1914 & 1926
UNITS:
3 STUDIO (450 SQ. FT.)
10 THE BEDROOM (816 SQ. FT.)
10 THE BEDROOM (816 SQ. FT.)
- PARKING:
3 PARKING SPACES (470 SQ. FT.)
3 PARKING CALCULATIONS PER MUNICIPAL CODE TABLE 142-05C

UNITS/TYPE OF UNIT	TRAFFIC TRIP PER HOUR
(1) STUDIO UNITS	1.0 - 5
(2) THE BEDROOM UNITS	1.25 - 4
(3) THE BEDROOM UNITS	1.75 - 28

APN

APN: 453-183-00-00

LEGAL DESCRIPTION

LOTS 41-48 OF VICTORIA BEACH, IN THE CITY OF SAN DIEGO COUNTY SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1597, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, REGISTERED 18, 1925.

ALSO ALL SOUTH PORTION OF THE NORTH 10 FEET OF CYPRESS AVE LINE SOUTH OF AND ALONGING LOTS 41 TO 48 INCLUSIVE AS VACATED AND CLOSED TO PUBLIC USE ON JULY 25, 1914 BY RESOLUTION NO. 1780 OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO.

BENCHMARK

THE NEAREST BENCHMARK FOR THE SITE IS A BRASS PLUG IN THE CURB AT THE SOUTHWEST INTERSECTION OF FLORIDA ST AND CYPRESS AVE, BEING SAN DIEGO CITY METRIC CONTROL BENCHMARK, POINTS ELEVATION 241.985 MSL.

BASE OF BEARINGS

THE BASE OF BEARINGS FOR THIS PROJECT IS THE NORTH SIDE OF FLORIDA ST. 7 FOOT OFFSET PER RECORD MAP 12843 AS IN 60° 21' 21" E.

SUBDIVIDER RESPONSIBILITIES

- RECALL APPROPRIATE STATE AND FEDERAL REQUIREMENTS ON ALL EXISTING AND PROPOSED WATER SERVICES (DOMESTIC, IRRIGATION, AND FIRE) ACCORDING TO THE PROJECT BLUE PRINT NUMBER 541000000 TO THE WATER DEPARTMENT DIRECTOR.
- PROVIDE A LETTER ADDRESSING TO PREPARE DEAR'S FOR THE OPERATION AND MAINTENANCE OF ALL PRIVATE WATER AND SEWER FACILITIES THAT SHALL OR TRANSFER MORE THAN A SINGLE CONDOMINIUM UNIT OR ICC.
- SHALL RECONSTRUCT THE EXISTING CLEAR WAYWAY ADJUSTED TO THE PROJECT TO MEET CURRENT CITY STANDARDS.
- SHALL RECONSTRUCT THE DRIVEWAYS TO CURRENT CITY STANDARDS ADJUSTED TO THE SITE ON FLORIDA STREET AND CYPRESS STREET. THE DRIVEWAY ON FLORIDA STREET SHALL BE ONLY AS WIDE AS NECESSARY TO ACCESS PARKING SPACES 1 AND 3.

EASEMENT NOTES

EXEMPTED BY THE NEW PRELIMINARY BLUE REPORT PREPARED BY CHENGO TITLE COMPANY FILE NO. 1500000 DATED MAY 18, 2005. THE ITEM ADJUSTS DEED HEREON AS IS LISTED ON SAID REPORT.

(1) EASEMENT OVER THE NORTH 5' OF LOTS 41 AND 48, INCLUSIVE OF VERTICAL SQUARE HEREIN REFERENCED, FOR WATER MAINS, CONDUITS, UNDEGRADED SEWER, WATER MAINS, WATER PIPES AND DRAINS FOR INCIDENTAL PURPOSES, REGISTERED WITH THE FRONT OF PROJECT AND FOREVER, IS GRANTED TO THE CITY OF SAN DIEGO AS DEDICATED ON MAP NO. 1597.

ALSO AN EASEMENT TO THE CITY OF SAN DIEGO FOR THE MAINTENANCE OF ITS SEWER LINE OVER THE EAST 5' OF LOT 45 AND THE WEST 5' OF LOT 44 AS DEDICATED ON MAP NO. 1597.

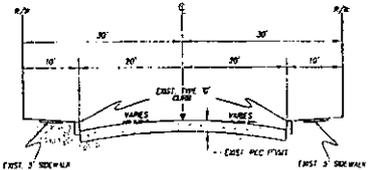
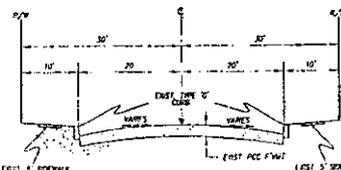
LEGEND

PROPERTY LINE / IN BOUNDARY	
EXISTING LOT LINES	---
EXISTING WATER METER	---
EXISTING WATER LINE	---
EXISTING POWER POLE	---
EXISTING OVERHEAD POWER LINES	---
EXISTING ROAD TRENCH AND GATE	---
EXISTING FENCE LINE WALL	---
EXISTING CONCRETE	---
EXISTING BUILDING	---
EXISTING RETAINING WALL	---
EXISTING BENCHMARK	---
SPOT ELEVATION	---
DIRECTION OF DRAINAGE	---



ABBREVIATIONS

AD	AREA DRAIN
B	BAY
CS	GAS SERVICE
CS	LANDSCAPING
SM	SMALL
ST	STAIRCASE
ST	STAIR
ST	STAIR LANDING
ST	STAIR
ST	STAIR WALKER
ST	STAIR TAIL



PROJECT ADDRESS

3650 FLORIDA ST.
SAN DIEGO, CA 92104
18 MAP PAGE 1284-02

SURVEYOR/MAPPER

STERLING LAND SERVICES INC.
300 MARKET STREET, STE. 510
SAN DIEGO, CA 92101
PHONE: 619-544-6165

S.D. CITY PROJECT NUMBERS

TENTATIVE MAP NO. 257318
CITY PROJECT NO. 82092
CITY MAP SHEET NO. 44-5143

REQUIRED PERMITS/APPROVALS

-24-174 MAP

MAPPING AND MONUMENTATION

ALL PROPERTY CORNERS WILL BE SET AND A ONE (1) FOOT FINAL MAP WILL BE FILED UPON APPROVAL OF THE TENTATIVE MAP. A DETAILED PROCEDURE OF SETTING WILL BE SHOWN ON THE FINAL MAP.

OWNER

WALTER E. BRONKHORST AND
KIMBERLY A. BRONKHORST
2807 CORNETT AVE. #210
SAN DIEGO, CA 92108

Surveyor Signature: *[Signature]*
 Date: 7/16/05
 Title: *[Title]*

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY SUPERVISION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE ON AUGUST 18, 2005.

Surveyor Signature: *[Signature]*
 Date: 8/18/05
 Title: *[Title]*



TENTATIVE MAP FOR:
3650 FLORIDA ST.

Revision 1	5/07/05	Original Date	5/07/05
Revision 2	07/15/05		
Revision 3	08/07/05	Sheet	1 of 1
Revision 4	07/27/05	Drawn By	

PTS 82092 SW 257318 PD 02-243 I.C. 201 1225 CCS 83 1821-6295

PLANT LEGEND

TREES

SYMBOL	CATEGORY/DESCRIPTION	QTY	SIZE
(A)	Existing <i>Acacia longifolia</i> / Golden Wattle	02	3" caliper
(a)	Existing <i>Carpenteria anacardioides</i> / Karoo Wood	01	3" caliper
(B)	Existing <i>Callitriche viminalis</i> / Weeping Bobwhite	03	6" caliper
(M)	Existing <i>Myoporum laetum</i> / MCH	01	5" caliper
(m)	Existing <i>Myoporum laetum</i> / MCH	01	7" caliper
(m)	Existing <i>Myoporum laetum</i> / MCH	01	12" caliper
(P)	Existing <i>Podocarpus macrophyllus</i> / New Pine	08	2" caliper
(R)	Existing <i>Syagrus romanzoffiana</i> / Queen Palm	02	10 1/2" Trk
(R)	Existing <i>Syagrus romanzoffiana</i> / Queen Palm	01	11 1/2" Trk
(R)	Existing <i>Syagrus romanzoffiana</i> / Queen Palm	01	12 1/2" Trk
(R)	Existing <i>Syagrus romanzoffiana</i> / Queen Palm	01	15 1/2" Trk
(R)	Existing <i>Syagrus romanzoffiana</i> / Queen Palm	02	20 1/2" Trk
(R)	Existing <i>Syagrus romanzoffiana</i> / Queen Palm	03	25 1/2" Trk
(R)	Existing <i>Syagrus romanzoffiana</i> / Queen Palm	01	35 1/2" Trk
(N)	Existing <i>Washingtonia robusta</i> / Mexican Fan Palm	01	3 1/2" Trk
(N)	Existing <i>Washingtonia robusta</i> / Mexican Fan Palm	01	6 1/2" Trk
(N)	Existing <i>Washingtonia robusta</i> / Mexican Fan Palm	01	25 1/2" Trk
(N)	Existing <i>Washingtonia robusta</i> / Mexican Fan Palm	01	30 1/2" Trk
(N)	Existing <i>Washingtonia robusta</i> / Mexican Fan Palm	01	80 1/2" Trk
(N)	Existing <i>Washingtonia robusta</i> / Mexican Fan Palm	01	80 1/2" Trk
(S)	Designated as a Street Tree	01	80 1/2" Trk

SHRUBS & GROUNDCOVERS

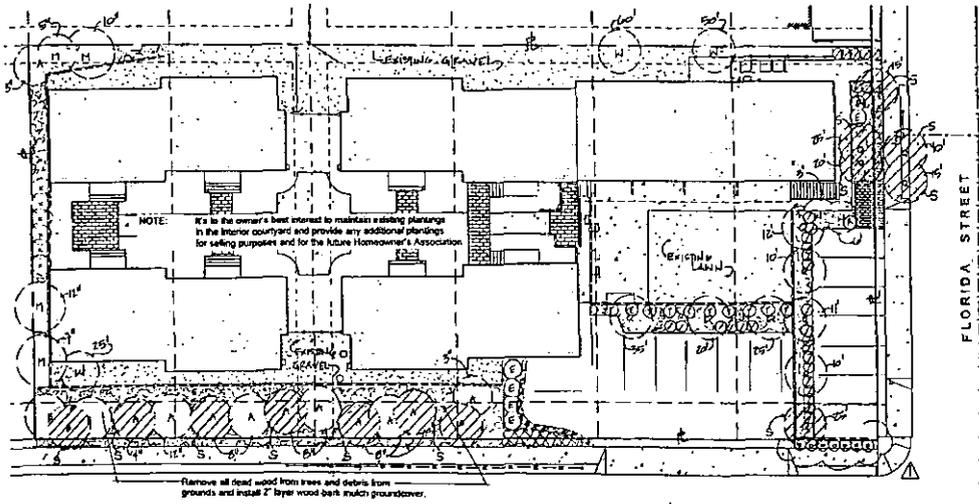
SYMBOL	CATEGORY/DESCRIPTION	QTY	SIZE
(D)	Existing <i>Euryops pectinatus</i> / MCH	06	> 24" H
(Z)	Existing <i>Pittosporum tobira</i> / Wheeler's Dwarf	38	> 24" H
(P)	Existing <i>Rhapidolepis indica</i> / Indian Hawthorn	01	> 24" H
(T)	Existing <i>Tecoma densa</i> / Cape Honeystickle	10	> 24" H
(O)	Existing <i>Helium obcordatum</i> / Dandelion	07	> 24" H
(X)	Existing transplants to remain		
(M)	2" layer wood bark mulch groundcover		

Table 142-84E
Minimum Tree Separation Distances

Separation	Minimum Separation Distances
1. Within same tree line	8' for trees less than 10' tall
2. Between tree lines	10' for trees less than 10' tall
3. Between tree lines in same block	10' for trees less than 10' tall
4. Between tree lines in different blocks	10' for trees less than 10' tall
5. Between tree lines in same block	10' for trees less than 10' tall
6. Between tree lines in different blocks	10' for trees less than 10' tall

PLANTING NOTES:

- Final location of all plant materials shall be subject to the approval of the owner's authorized representative.
- In conflict areas between site of areas and plans, contractor to contact owner's authorized representative for resolution. Failure to make such conflicts known to the owner's authorized representative will result in contractor's liability to relocate the materials.
- It is the landscape contractor's responsibility to furnish plant materials free of pests or plant diseases. Pre-selected or tagged material must be inspected by the contractor and certified pest and disease free.
- Landscape contractor shall be responsible for moving himself/ herself with all underground utilities, pipelines and structures. Landscape contractor shall take sole responsibility for any cost incurred due to damage of said utilities.
- Landscape contractor shall not interfere with construction as designed when it is obvious that unknown obstructions and/or grade differences exist that may not have been known during design. Such conditions shall be immediately brought to the attention of the owner's authorized representative. The contractor shall assume full responsibility for all necessary revisions due to failure to give such notification.
- Landscape contractor shall be responsible for any coordination with subcontractors as required to accomplish planting operations.
- Landscape contractor shall verify plant material quantities per plan.
- Plant symbols take precedence over plant quantities specified in legend.
- Landscape operations shall conform to applicable ordinances in the City of San Diego Landscape Standards.
- Landscape contractor shall have a soil analysis performed and shall follow the recommendations for soil preparation and fertilization per the results of the soil analysis.
- All required planting areas shall be covered with mulch to a minimum depth of 2", including slopes resulting re-vegetation and areas planted with groundcover. All exposed soil areas without vegetation shall also be mulched to this minimum depth.
- Maintenance: All required landscape areas shall be maintained by Private Homeowner's Association. The landscape areas shall be maintained free of debris and litter and all plant material shall be maintained in a healthy, growing condition. Diseased or dead plant material shall be satisfactorily treated or replaced per the conditions of the permit.
- Tree root barriers shall be installed where trees are placed within 5 feet of public improvements including walls, curbs or street pavements or where new public improvements are placed adjacent to existing trees. The root barrier will not be wrapped around the root ball. SDMC 142.0403(b)(12).
- Existing parking area wheel stops will be utilized where new tree well plantings are installed per SDMC 142.0403(b).



CYPRESS AVENUE

FLORIDA STREET

Declaration of Responsible Charge:

I hereby declare that I am the Landscape Architect for this project, that I have exercised responsible charge over the design of the project as defined in Section 6703 of the Business and Professions Code, and that the design is consistent with current standards understood that the check on project drawings and specifications by the City of San Diego is confined to a review only and does not relieve me, as Landscape Architect of any of my responsibilities for the project design.

Signature: [Signature]
Date: 1/30/07
Name: V. Wilson, L.A. 2006
My License Expires: 04/30/09
Landscape Resource Group
3780 Hancock Street, Suite G
San Diego, CA 92110
619) 497-0556

LANDSCAPE DEVELOPMENT PLAN



REVISIONS BY

NO.	DATE	BY	DESCRIPTION
1	1/30/07		

LANDSCAPE ARCHITECTURE / CONSTRUCTION
2150 HANCOCK STREET, SUITE G
SAN DIEGO, CALIFORNIA 92110
TEL: 619-497-0556
WWW.LANDSCAPE-RESOURCE.COM

PROJECT ADDRESS: 3550 Florida Street
San Diego, CA 92104

OWNER: Matthew S. Brown & Family Trust
2287 Grand Ave., S.D.J.
San Diego, CA 92108
1038-176-0508 (ext. 1)

Date: _____
Scale: 1" = 18'-0"
Drawn: _____
Job: _____
Sheet: _____
L-1
Of _____ Sheets

REVISIONS BY
A. S. 26.0

103700

City of San Diego
Development Services
1221 First Ave., 4th Floor
San Diego, CA 92101-4114
(619) 444-3000

Landscape Calculations Worksheet

Vehicular Use Areas (VUA)

Provide the following information on the Landscape Plan. The Landscape Conditions determine the planting area and points required by the Landscape Regulations, Chapter 14, Article 2, Division 4 of the Land Development Code.

Planting Area Required: 100% of VUA + 10% of each parking space + 10% of each drive aisle + 10% of each ramp (maximum 10% of total parking area)

VEHICULAR USE AREA (VUA) (14.0605 (14.0605 - 14.0605))

Planting Area Required	Planting Area Provided	Excess Points Provided
100% VUA: 3054 sq. ft. + 10% = 3353 sq. ft.	353 sq. ft.	299 sq. ft.

Points advanced through tree: 353 points

City of San Diego
Development Services
1221 First Ave., 4th Floor
San Diego, CA 92101-4114
(619) 444-3000

Landscape Calculations Worksheet

Single Dwelling Unit Development in RM Zones

Multiple Dwelling Unit Development in All Zones

Provide the following information on the Landscape Plan. The Landscape Conditions determine the planting area and points required by the Landscape Regulations, Chapter 14, Article 2, Division 4 of the Land Development Code.

STREET YARD

- A maximum of 4 sq. ft. planting area shall be provided for all trees with no diameter less than 5.6" DBH and one-half of the required planting points shall be advanced with trees.

Planting Area Required (14.0605)	Planting Area Provided	Excess Points Provided
Total Area: 9449 sq. ft. + 10% = 10394 sq. ft.	4974 sq. ft.	249 sq. ft.

Planting Points Required (14.0605)

Planting Points Provided	Excess Points Provided
1489 points	1016 points

Points advanced with trees: 1489 points

Planting Area Minimum on Unimproved or Unimproved and Access (14.0605(11)(B))

Planting Area Provided	Excess Points Provided
945 sq. ft.	100 sq. ft.

Points advanced with trees: 945 points

REMAINING YARD - Single structure on lot

Planting Area Provided	Excess Points Provided
0 sq. ft.	0 points

Points advanced with trees: 0 points

REMAINING YARD - Multiple structures on lot

Planting Area Provided	Excess Points Provided
0 sq. ft.	0 points

Points advanced with trees: 0 points

Number of Buildings: 1 building + 2 trees required

Number of Trees Provided: 1 tree provided

Tree must be located on each side and in the front of each structure.

LANDSCAPE CALCULATIONS

STREET YARD PLANT POINTS:

QTY	SIZE	PLANT POINTS	TOTAL POINTS
01	Existing non-native tree 3" caliper	7.5 points / tree	15
02	Existing non-native tree 6" caliper	100 points / tree	200
03	Existing non-native tree 8" caliper	200 points / tree	600
01	Existing non-native tree 12" caliper	300 points / tree	300
01	3" Trnk Fan Palm	1.5 points / 1" Trnk	5
02	10" Trnk Fan Palm	3 points / 1" Trnk	30
01	11" Trnk Fan Palm	3 points / 1" Trnk	33
01	12" Trnk Fan Palm	3 points / 1" Trnk	36
01	20" Trnk Fan Palm	60 points / tree	60
01	25" Trnk Fan Palm	60 points / tree	60
01	35" Trnk Fan Palm	60 points / tree	60
			1489 Tree Pl. Req.
			1489 Tree Points

REMAINING YARD PLANTING REQUIREMENTS:

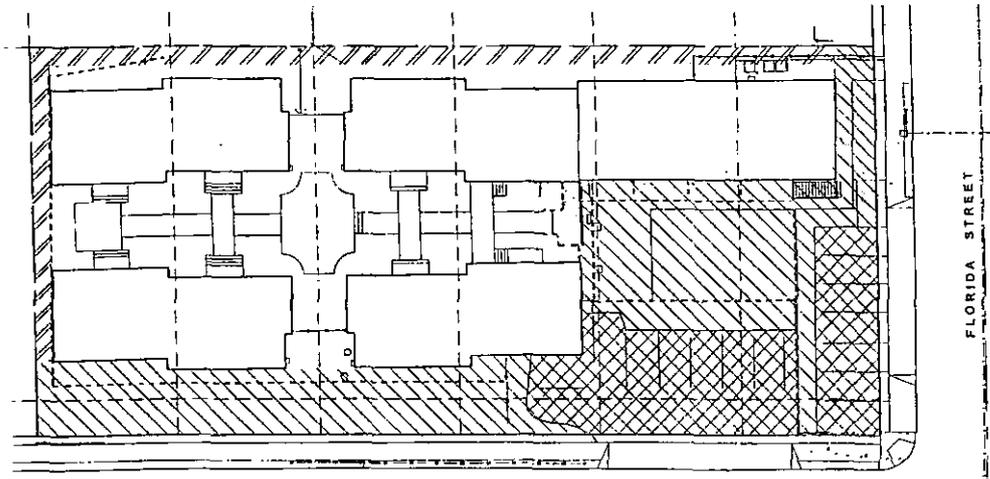
Not Applicable

STREET TREE REQUIREMENTS: (1 Tree per 30 feet of Street Frontage)

Florida Street Trees Required: 8 Palms
Florida Street Trees Provided: 5 Existing as Indicated on Plan
Cypress Street Trees Required: 8 Broad leaf trees
Cypress Street Trees Provided: 8 Existing as Indicated on Plan

VEHICULAR USE AREA REQUIREMENTS (46,000 sq. ft.)

QTY	SIZE	PLANT POINTS	TOTAL POINTS
01	3" Trnk Fan Palm	1.5 points / 1" Trnk	5
01	6" Trnk Fan Palm	1.5 points / 1" Trnk	6
02	10" Trnk Fan Palm	3 points / 1" Trnk	30
01	11" Trnk Fan Palm	3 points / 1" Trnk	33
01	12" Trnk Fan Palm	3 points / 1" Trnk	36
01	20" Trnk Fan Palm	60 points / tree	60
01	25" Trnk Fan Palm	60 points / tree	60
01	35" Trnk Fan Palm	60 points / tree	60
			323 Tree Pl. Req.
			153 Veh. Plnt. Req.
			323 Tree Points



CYPRESS AVENUE

FLORIDA STREET

LANDSCAPE CALCULATIONS



Landscape Architecture / Construction
1400 Broadway, Suite 200
San Diego, CA 92101
Tel: (619) 591-1111
Fax: (619) 591-1112
www.landscape-architect.com

PROJECT ADDRESS: 3450 Pomeroy Street
San Diego, CA 92104

OWNER: Matthew B. Sowers & Associates
2207 Camino del Rio N.
San Diego, CA 92108
Tel: (619) 591-1111

Date:
Scale: 1" = 16'-0"
Drawn:
Job:
Sheet

L-2

Of Sheets

University Ave., 30th St., or El Cajon Blvd. Vernon Franck said that the surrounding buildings are all high density, so the scale is appropriate

MOTION: APPROVE A SITE DEVELOPMENT PERMIT TO DEMOLISH EXISTING BUILDINGS AT 3783 FLORIDA ST. WITH THE FOLLOWING 5 STANDARD SET OF CONDITIONS AS APPLICABLE: HISTORIC SIDEWALK STAMPS AND SCORING BE PRESERVED, FIRST RIGHT OF REFUSAL FOR RENTERS, NEW AND APPROPRIATE LANDSCAPING AS NEEDED, ON-SITE PARKING BE MAXIMIZED, AND OPPOSITION TO THE EXEMPTION TO UNDERGROUND UTILITIES. (Rosa/O'Boyle). Motion passed 10-1-0. Kurylo opposed. McGaughy abstained.

Diversionsary Theatre Signage

New signage was proposed for the Diversionsary Theatre. Renderings were shown to the Committee. John Stewart McGaughy said that even though the signage doesn't satisfy City requirements, he felt it was very attractive.

MOTION: APPROVE THE VARIANCE OR DEVIATION AS APPLICABLE FOR MORE SQUARE FOOTAGE FOR THE BANNER (PERPENDICULAR) SIGN AT THE DIVERSIONARY THEATRE AS PRESENTED TO THE GREATER NORTH PARK COMMUNITY PLANNING COMMITTEE. (McGaughy/Plisking). Motion passed 12-0-0.

Subcommittee Reports/Liaisons

Urban Design/Project Review Subcommittee (UD/PR)

No report.

Public Facilities/Parks/Housing (PF/P/H)

- The MAD will address maintenance of new trees being planted in North Park by the Business Improvement District Council.

Transportation

No report.

Public Relations (PR)

- The PR Committee has not met since October.
- The Planning Committee brochure will be updated using John Stewart McGaughy's artwork.

Bylaws

The elections in March will be discussed at the next meeting.

Community Planners Committee (CPC)

The CPC did not meet in December.

Library Task Force

The Library Task Force will meet on a Saturday February, pending Toni Atkins' availability.

Balboa Park Committee

A process for special events is being devised.

Clean Needle Exchange Program

The program is no longer functioning as a needle exchange. The Governor made it so that a state of emergency needs to be declared only once a year versus every two weeks in order to operate a clean needle exchange program. The task force does not wish to bring this item before the new City Council as anything different than how the program was before downtown and in North Park. They would like the Council to declare a state of emergency for one year. John Stewart McGaughy would prefer to see an ordinance change.

Meeting adjourned at 9:16 p.m.

Respectfully submitted,
Richard Kurylo, Secretary

4330 Kansas St. (Project #88060)

MOTION: APPROVE A TENTATIVE MAP TO CONVERT 16 EXISTING RESIDENTIAL UNITS AT 4330 KANSAS ST. TO CONDOMINIUMS WITH THE FOLLOWING 5 STANDARD SET OF CONDITIONS AS APPLICABLE: HISTORIC SIDEWALK STAMPS AND SCORING BE PRESERVED, FIRST RIGHT OF REFUSAL FOR RENTERS, NEW AND APPROPRIATE LANDSCAPING AS NEEDED, ON-SITE PARKING BE MAXIMIZED, AND OPPOSITION TO THE EXEMPTION TO UNDERGROUND UTILITIES.
(Pliskin/UD/PR Subcommittee). Motion passed 11-0-1 as a consent item. McGaughy abstained.

Action Items4545 Ohio St. (Project #87709)

This project was for a Tentative Map Waiver to waive the requirements of a Tentative Map to create 2 residential condominium units. It is a modern-style project on a corner lot. Richard Kurylo pulled this project from the Consent Agenda because he was concerned about the continued loss of single-family houses in North Park. He wished the Planning Committee supported the downzoning of residential areas of the neighborhood.

MOTION: APPROVE A TENTATIVE MAP WAIVER TO WAIVE THE REQUIREMENTS OF A TENTATIVE MAP TO CREATE 2 EXISTING RESIDENTIAL UNITS AT 4545 OHIO ST. WITH THE FOLLOWING 5 STANDARD SET OF CONDITIONS AS APPLICABLE: HISTORIC SIDEWALK STAMPS AND SCORING BE PRESERVED, FIRST RIGHT OF REFUSAL FOR RENTERS, NEW AND APPROPRIATE LANDSCAPING AS NEEDED, ON-SITE PARKING BE MAXIMIZED, AND OPPOSITION TO THE EXEMPTION TO UNDERGROUND UTILITIES.

(Westfall/Franck). Motion passed 9-2-1. Kurylo and O'Boyle opposed. McGaughy abstained.

4373 Oregon St. (Project #86218)

This was a proposal for a Tentative Map to convert 8 existing residential units at 4373 Oregon St. to condominium units. The UD/PR Subcommittee asked for a redesign. Comments included a preference for stainless steel or stucco rather than a rock façade. Also, they should retain horizontal lines on the building and on fences and gates. Use of awnings, shutters, vertical facades, and vinyl windows were discouraged. Keoni Rosa assisted with the redesign in a modern style, which was shown to the Committee. Railings were streamlined. John Stewart McGaughy suggested smaller address numbers.

MOTION: APPROVE A TENTATIVE MAP TO CONVERT 8 EXISTING RESIDENTIAL UNITS AT 4373 OREGON ST. TO CONDOMINIUMS WITH THE FOLLOWING 5 STANDARD SET OF CONDITIONS AS APPLICABLE: HISTORIC SIDEWALK STAMPS AND SCORING BE PRESERVED, FIRST RIGHT OF REFUSAL FOR RENTERS, NEW AND APPROPRIATE LANDSCAPING AS NEEDED, ON-SITE PARKING BE MAXIMIZED, AND OPPOSITION TO THE EXEMPTION TO UNDERGROUND UTILITIES.

(Westfall/Granowitz). Motion passed 11-0-1. McGaughy abstained.

4670 Arizona St. (Project #96558)

This was a proposal for a Tentative Map to convert 10 existing residential units at 4670 Arizona St. to condominium units. The UD/PR Subcommittee approved the project with the condition that front parking spaces are shortened and an updated rendering is shown. The redesign had Spanish elements. A fountain would be installed. There would be no loss of parking spaces. A stone walkway would be added in front. John Stewart McGaughy was concerned that the rendering was out of scale, showing the building as smaller than it actually is. Keoni Rosa was concerned that the unimproved side of the building in a modern style would not match the redesigned front. Vicki Granowitz and Jason DeFay didn't support the project due to inadequate renderings.

MOTION: TABLE THE PROPOSAL AT 4670 ARIZONA ST. AND SEND THE PROJECT BACK TO THE URBAN DESIGN/PROJECT REVIEW SUBCOMITTEE FOR REVIEW.

(McGaughy/Rosa). Motion passed 12-0-0.

Arbor Crest North, 3783 Florida St. (Project #89239)

David Hawkins and Mike Kummer presented the proposal for a Site Development Permit to demolish exiting buildings at 3783 Florida St. The setback encroachment on side pop-outs are 3'6" into the setback versus 1'0" as presented to the UD/PR Subcommittee. The project includes an affordable housing component (10% of the units). The site consists of 4-6 parcels, which will be combined into one large parcel. Eminent domain will not be used. Richard Kurylo said the continued loss of the single-family houses in North Park is deplorable. He said it is inexcusable that houses are still being demolished, even in 2006. He felt the scale of this project is better suited for

C00434

4052 Oregon St. (Project #78863)

MOTION: DENY A TENTATIVE MAP TO CONVERT 9 EXISTING RESIDENTIAL UNITS AT 4052 OREGON ST. TO CONDOMINIUMS BECAUSE NO RENDERINGS WERE PRESENTED TO THE COMMITTEE AND THE BUILDING IS NOT COMPLIANT WITH THE GREATER NORTH PARK COMMUNITY PLAN.

(Franck/UD/PR Subcommittee). Motion passed 11-0-1 as a consent item. McGaughy abstained.

4176 Oregon St. (Project #78873)

MOTION: DENY A TENTATIVE MAP TO CONVERT 9 EXISTING RESIDENTIAL UNITS AT 4176 OREGON ST. TO CONDOMINIUMS BECAUSE NO RENDERINGS WERE PRESENTED TO THE COMMITTEE AND THE BUILDING DOES NOT CONFORM WITH THE GREATER NORTH PARK COMMUNITY PLAN.

(Franck/UD/PR Subcommittee). Motion passed 11-0-1 as a consent item. McGaughy abstained.

3650 Florida St. (Project #82092)

MOTION: DENY A TENTATIVE MAP TO CONVERT 24 EXISTING RESIDENTIAL UNITS AT 3650 FLORIDA ST. TO CONDOMINIUMS BECAUSE THERE IS INSUFFICIENT PARKING AND NO RENDERINGS WERE PRESENTED TO THE COMMITTEE.

(Franck/UD/PR Subcommittee). Motion passed 11-0-1 as a consent item. McGaughy abstained.

4611 Ohio St. (Project #83623)

MOTION: DENY A TENTATIVE MAP TO CONVERT 36 EXISTING RESIDENTIAL UNITS AT 4611 OHIO ST. TO CONDOMINIUMS BECAUSE NO RENDERINGS WERE PRESENTED TO THE COMMITTEE, THE BUILDING DOES NOT CONFORM WITH THE GREATER NORTH PARK COMMUNITY PLAN, AND THERE IS TANDEM PARKING IN FRONT.

(Franck/UD/PR Subcommittee). Motion passed 11-0-1 as a consent item. McGaughy abstained.

4450 Boundary St. (Project #78968)

John Stewart McGaughy recused himself.

MOTION: APPROVE A TENTATIVE MAP TO CONVERT 12 EXISTING RESIDENTIAL UNITS AT 4450 BOUNDARY ST. TO CONDOMINIUMS WITH THE CONDITION THAT THE DESIGN PRESENTED TO THE COMMITTEE BE SUBSTANTIALLY INCORPORATED FOR PROJECT APPROVAL BY THE CITY, AND WITH THE FOLLOWING 5 STANDARD SET OF CONDITIONS AS APPLICABLE: HISTORIC SIDEWALK STAMPS AND SCORING BE PRESERVED, FIRST RIGHT OF REFUSAL FOR RENTERS, NEW AND APPROPRIATE LANDSCAPING AS NEEDED, ON-SITE PARKING BE MAXIMIZED, AND OPPOSITION TO THE EXEMPTION TO UNDERGROUND UTILITIES.

(Franck/UD/PR Subcommittee). Motion passed 11-0-0 as a consent item. McGaughy was recused from the discussion and not included in the vote.

4526 Arizona St. (Project #62343)

MOTION: APPROVE A TENTATIVE MAP TO CONVERT 8 EXISTING RESIDENTIAL UNITS AT 4526 BOUNDARY ST. TO CONDOMINIUMS WITH THE FOLLOWING 5 STANDARD SET OF CONDITIONS AS APPLICABLE: HISTORIC SIDEWALK STAMPS AND SCORING BE PRESERVED, FIRST RIGHT OF REFUSAL FOR RENTERS, NEW AND APPROPRIATE LANDSCAPING AS NEEDED, ON-SITE PARKING BE MAXIMIZED, AND OPPOSITION TO THE EXEMPTION TO UNDERGROUND UTILITIES.

(Pliskin/UD/PR Subcommittee). Motion passed 11-0-1 as a consent item. McGaughy abstained.

4037 Idaho St. (Project #74806)

MOTION: APPROVE A TENTATIVE MAP TO CONVERT 8 EXISTING RESIDENTIAL UNITS AT 4037 IDAHO ST. TO CONDOMINIUMS WITH THE CONDITION THAT THE DESIGN PRESENTED TO THE COMMITTEE BE SUBSTANTIALLY INCORPORATED FOR PROJECT APPROVAL BY THE CITY, AND WITH THE FOLLOWING 5 STANDARD SET OF CONDITIONS AS APPLICABLE: HISTORIC SIDEWALK STAMPS AND SCORING BE PRESERVED, FIRST RIGHT OF REFUSAL FOR RENTERS, NEW AND APPROPRIATE LANDSCAPING AS NEEDED, ON-SITE PARKING BE MAXIMIZED, AND OPPOSITION TO THE EXEMPTION TO UNDERGROUND UTILITIES.

(Pliskin/UD/PR Subcommittee). Motion passed 11-0-1 as a consent item. McGaughy abstained.

- Steve Chipp from St. Augustine High School announced a January 30 meeting to provide the community with an update on latest design elements of the school's expansion plans.
- Lee Chase, property owner, is considering opening a beer bar featuring specialty beers. Richard Kurylo suggested contacting North Park Main Street.

Guest Speakers

Development Impact Fees (DIF)

Vicki Burgess with the City's Facilities Finance Department made a presentation about DIF. Every community has different fees based on needs. Current fees for North Park are \$4,080 per dwelling unit. Developers get credit for units that are demolished. The DIF program started in 1987. The North Park account has accumulated \$268,000, which sits in an interest earning account. It can only be spent in North Park for projects on the Public Facilities Financing Plan (PFFP). PFFP is based on the Community Plan and was updated for North Park a few years ago. Condo conversions citywide are not charged DIF because they do not add additional dwelling units. There is a proposal to have DIF raised annually to account for inflation. In North Park, there is also a Special Park Fee. The Parks & Recreation Dept. has oversight of these funds. La Boheme paid over \$1 million into the Special Park Fee.

North Park Maintenance Assessment District (MAD)

Phyllis Shess, Chair of the North Park MAD, made a presentation. The MAD is an assessment district that property owners pay into. Community groups and one homeowner are representatives on the MAD Committee. In fiscal year 2004-2005, \$348,002 was collected, with 74 percent (\$257,520) from residents and 24 percent (\$83,520) from businesses. The original engineers report specifies projects that the MAD is empowered to do. The projects are essentially done. In the absence of workable projects, there is a reserve of \$433,000. University Ave. sidewalks are now being cleaned daily. Two undesirable options are (1) suspend assessments or (2) decrease assessments, but why do either one of these when the real problem is the inability to do work in the neighborhood that is needed. Re-balloting is the option that the MAD would like to pursue. This would require a new engineers report with updated goals. New possible projects include maintenance of the Altadena median and the Pershing Portal Project. The commercial areas are considering a separation from the residential area. A re-ballot would occur in autumn 2006 at the earliest. If it got voted down, it would not affect the present district.

MOTION: THE GREATER NORTH PARK COMMUNITY PLANNING COMMITTEE SUPPORTS THE NORTH PARK MAINTENANCE ASSESSMENT DISTRICT CITIZEN ADVISORY COMMITTEE IN ITS EFFORTS TO RE-EVALUATE AND BETTER ALLOCATE HOW MONEY IS ASSESSED AND USED FOR COMMUNITY IMPROVEMENTS AND MAINTENANCE IN THE RESIDENTIAL AND COMMERCIAL AREA, INCLUDING THE POSSIBILITY OF A NEW ENGINEERS REPORT AND COMMUNITY RE-BALLOT.

(McGaughy/DeFay). Motion passed 12-0-0.

Consent Items

4545 Georgia St. (Project #78971)

MOTION: APPROVE A TENTATIVE MAP TO CONVERT 19 EXISTING RESIDENTIAL UNITS AT 4545 GEORGIA ST. TO CONDOMINIUMS WITH THE FOLLOWING 5 STANDARD SET OF CONDITIONS AS APPLICABLE: HISTORIC SIDEWALK STAMPS AND SCORING BE PRESERVED, FIRST RIGHT OF REFUSAL FOR RENTERS, NEW AND APPROPRIATE LANDSCAPING AS NEEDED, ON-SITE PARKING BE MAXIMIZED, AND OPPOSITION TO THE EXEMPTION TO UNDERGROUND UTILITIES.

(Franck/UD/PR Subcommittee). Motion passed 11-0-1 as a consent item. McGaughy abstained.

4458 Louisiana St. (Project #81717)

MOTION: APPROVE A TENTATIVE MAP TO CONVERT 8 EXISTING RESIDENTIAL UNITS AT 4458 LOUISIANA ST. TO CONDOMINIUMS WITH THE CONDITION THAT 8 PARKING SPACES ARE PROVIDED AND LANDSCAPING IS MAXIMIZED, WITH THE FOLLOWING 5 STANDARD SET OF CONDITIONS AS APPLICABLE: HISTORIC SIDEWALK STAMPS AND SCORING BE PRESERVED, FIRST RIGHT OF REFUSAL FOR RENTERS, NEW AND APPROPRIATE LANDSCAPING AS NEEDED, ON-SITE PARKING BE MAXIMIZED, AND OPPOSITION TO THE EXEMPTION TO UNDERGROUND UTILITIES.

(Franck/UD/PR Subcommittee). Motion passed 11-0-1 as a consent item. McGaughy abstained.

000436

running again are Granowitz, Pliskin, and Rosa. DeFay will be in charge of the election process, with assistance from Westfall, Kurylo, and Conni Musser assisting. Dan Holsenback in the audience would like to run for the Board.

Officials' Report

- Todd Gloria from U.S. Congressional District 53 (Congresswoman Susan Davis) distributed the January 2006 edition of *The Davis Dispatch*. The House of Representatives approved an affordable housing trust fund for the construction and preservation of affordable housing. Congresswoman Davis supported the legislation. The *San Diego Union-Tribune* printed an article about problems with mail delivery service. Congresswoman Davis brought the problems to the attention of the Postmaster General. San Diego – and perhaps North Park – may get additional mail carriers. The newsletter includes phone numbers to call with questions about Medicare.
- Kirsten Clemons from State Assembly District 76 (Assemblymember Lori Saldaña) distributed the most recent edition of *The Saldaña Sun*. Cleanup opportunities were highlighted. Saldaña sponsored a bill regarding tracking for residential, homeowners, and other insurance (except health and auto). Information was distributed about the 2006-2007 Assembly Fellowship program. The State of the District address will be Jan. 20. California is covering some people that Medicare is no longer covering and is seeking reimbursement from the Federal government.
- Monica Pelaez from City Council District 3 (Councilmember Toni Atkins) said that City Council is back in session after a one month legislative recess. A financing plan to purchase the land behind the North Park Theatre is coming before City Council January 24. For streetlights that are out, call (619) 527-7500. Atkins is Chair of the Budget & Finance Committee. Daisy Gordon-Crompton has been hired in Council District 3 as the committee consultant for the Budget & Finance Committee. Bud Kearns Pool pipe was fixed and additional maintenance was done. The pool will be open in March or April.
- Maxx Stalheim with the City of San Diego's Planning Department said that the strong mayor form of government began on January 1. Jim Waring is the new department head, which includes the Planning Department. Top Planner Gale Goldberg accepted a position in Los Angeles. The Planning Department only has 12 Planners remaining due to a hiring freeze and budget problems. The department may reorganize North Park in a "South Central" area.
- Bertha Klann gave the Law Enforcement Committee report. The last meeting was November 30. Business owners are the individuals who must call the police to complain about homeless people. Crime is down. The new lieutenant is Lieutenant Blagg. The police are reviewing the 11 smoke shops in the area. The phone number to report drug activity will be posted on the North Park Community Association website: www.northparksd.org.
- Roger Lewis gave a report on the North Park Redevelopment PAC. The Redevelopment Agency is seeking a line of credit with local banks to help refinance debt of the North Park Redevelopment Project Area. Reorganization of the Redevelopment Agency is being studied. PAC elections are in February. Nine of 12 positions are up for election. Lewis occupies a Community Set on behalf of the Planning Committee. He was interested in running again. Nobody else expressed interest in the position.

MOTION: NOMINATE ROGER LEWIS TO RUN FOR THE NORTH PARK REDEVELOPMENT PROJECT AREA COMMITTEE AS THE GREATER NORTH PARK COMMUNITY PLANNING COMMITTEE REPRESENTATIVE.

(Kurylo/McGaughy). Motion passed 11-0-0.

MOTION: NOMINATE VICKI GRANOWITZ TO VOTE ON BEHALF OF THE GREATER NORTH PARK COMMUNITY PLANNING COMMITTEE IN THE NORTH PARK REDEVELOPMENT PROJECT AREA COMMITTEE ELECTION OF FEBRUARY 15, 2006.

(McGaughy/Westfall). Motion passed 11-0-0.

Reordering of the Agenda

- 1919 Mission Ave. (Project #86852) was continued to the February meeting.
- Arbor Crest North at 3783 Florida St. (Project 89239) was pulled from the Consent Agenda.
- John Stewart McGaughy recused himself from 4450 Boundary St. (Project 78968) and placed it on a separate Consent Agenda.

Public Comment

- Kirsten Clemons distributed flyers about North Park Rebuilding Together Day on April 29.
- Justin Beore announced interest in organizing a 2-day bicycle race in the North Park area. It would be one weekend between April and September, probably between 6:00 a.m. and 12:00 p.m. A special event permit would be needed. It would be best if this occurred on a different weekend from the soccer tournament.

**GREATER NORTH PARK COMMUNITY PLANNING COMMITTEE
MINUTES
January 17, 2006**

Called to order at 6:34 p.m.

Attendance

Present: Jason DeFay, Vernon Franck, Vicki Granowitz, Lan Jefferson, Richard Kurylo, John Stewart McGaughy, Judith O'Boyle, Mike Petrogeorge, Shane Pliskin, Keoni Rosa, Rob Steppke, Maureen Westfall

Absent: Shelley Anderson (not excused), Elaine Boyd (excused), James Longley (not excused)

Subcommittees, liaisons, and leadership roles since previous meeting

Between the November 15 and January 17 Planning Committee meetings, Planning Committee members attended the following subcommittee and other meetings.

Shelley Anderson	None reported.
Elaine Boyd:	None reported.
Jason DeFay:	None reported.
Vernon Franck:	Urban Design/Project Review (UD/PR) (Co-Chair).
Vicki Granowitz:	UD/PR, Balboa Park Committee, OSCAC, Vice Chair.
Lan Jefferson:	UD/PR.
Richard Kurylo:	UD/PR, North Park Main Street (NPMS), Secretary.
James Longley:	None reported.
John Stewart McGaughy:	UD/PR, Clean Needle Exchange Program, NPMS, North Park Maintenance Assessment District (MAD), Chair.
Judith O'Boyle:	UD/PR.
Mike Petrogeorge	North Park (MAD), NPMS.
Shane Pliskin	None reported.
Keoni Rosa:	UD/PR.
Rob Steppke	UD/PR, North Park Redevelopment Project Area Committee (PAC).
Maureen Westfall:	UD/PR, Treasurer.

Announcements

- John Stewart McGaughy announced that the Rebuilding Together program is looking for a derelict house in North Park to repair/rehabilitate in one day in April. Information is on the North Park Community Association's website (www.northparksd.org).
- Maureen Westfall announced that *Westways Magazine* featured North Park in a one-page "Day Tripper" feature in the most recent edition.

Approval of Minutes

- It was suggested that the November minutes reflect December attendance [Secretary's note: January's minutes will reflect December attendance].
- Rob Steppke requested that for 3151 Lincoln Ave., the statement attributed to him that the structure should be replaced by a new building be struck from the minutes.

MOTION: APPROVE THE GREATER NORTH PARK COMMUNITY PLANNING COMMITTEE MINUTES OF NOVEMBER 15, 2005, WITH REMOVAL OF THE STATEMENT THAT THE PRESENT BUILDING AT 3151 LINCOLN AVE. SHOULD BE REPLACED BY A NEW ONE.

(Franck/Petrogeorge). Motion passed 9-0-1. Granowitz abstained due to absence.

Treasurer's Report

The bank balance on October 31, 2005, was \$406.03. The cash balance on December 31, 2005, was also \$406.03.

Elections Committee

Planning Committee elections are in March. Eight people are up for election: Jason DeFay, Vicki Granowitz, Lan Jefferson, Richard Kurylo, Mike Petrogeorge, Shane Pliskin, Keoni Rosa, and Maureen Westfall. To date, those

damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or prior to a Certificate of Occupancy or a Final Landscape Inspection.

INFORMATION:

- The approval of this Tentative Map by the Planning Commission of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC Section 1531 et seq.).
- If the subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), then the subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of the Tentative Map, may protest the imposition within 90 days of the approval of this Tentative Map by filing a written protest with the City Clerk pursuant to California Government Code Section 66020.
- Where in the course of development of private property, public facilities are damaged or removed the property owner shall at no cost to the City obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer. Municipal Code Section 142.0607.

PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SAN DIEGO, CALIFORNIA, ON AUGUST 7, 2008.

By

Cherlyn Cac
Development Project Manager
Development Services Department

Job Order No. 42-5143

adjacent to the project site in a manner satisfactory to the Water Department Director.

- b. The Subdivider shall provide a letter, agreeing to prepare covenants, conditions and restrictions (CC&Rs) for the operation and maintenance of all private water and sewer facilities that serve or traverse more than a single condominium unit or lot.

LANDSCAPE

32. Prior to recordation of the Final Map, complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with the Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department.
33. Prior to recordation of the Final Map, and after Landscape and Irrigation Construction Documents have been approved by Development Services, the Subdivider shall install all required landscaping consistent with the approved plans and the Land Development Manual, Landscape Standards.
34. Prior to recordation of the Final Map, it shall be the responsibility of the Subdivider/Owner to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.
35. The Landscape Construction Plan shall take into account a 40 sq-ft area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)5.
36. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.
37. The Subdivider or Owner(s) shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review by a Landscape Planner.
38. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is

27. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the tentative map and covered in these special conditions will be authorized.

All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.

MAPPING

28. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
29. "California Coordinate System means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."
30. The Final Map shall:
- a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
 - b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

SEWER AND WATER

31. Sewer and Water Requirements:
- a. The Subdivider shall install appropriate private back flow prevention devices on all existing and proposed water services (domestic, irrigation, and fire)

17. Pursuant to City Council Policy 600-20, the Subdivider shall provide evidence to ensure that an affirmative marketing program is established.
18. The Subdivider shall re-construct the driveways to current City standards, adjacent to the site on Florida Street and Cypress Avenue. The driveway on Florida Street shall only be as wide as necessary to access parking spaces numbered 1 thru 5.
19. The Subdivider shall obtain an Encroachment Maintenance Removal Agreement for the non-standard driveway on Cypress Avenue.
20. The Subdivider shall enter into an agreement to indemnify, protect and hold harmless City, its officials and employees from any and all claims, demands, causes or action, liability or loss because of, or arising out of runoff from the Cypress Avenue right-of-way.
21. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
22. The Subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The Subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
23. Prior to the recordation of the final map, the Subdivider shall reconstruct the existing curb ramp adjacent to the project to meet current City standards.
24. Prior to the recordation of the final map, the Subdivider shall remove the northerly unused driveway and curb opening along Florida Street adjacent to the property and replace the opening with City standard curb and gutter satisfactory to the City Engineer.
25. Prior to the recordation of the final map, the Subdivider shall obtain an Encroachment Maintenance and Removal Agreement, for all private improvements and landscaping located in the public right-of-way satisfactory to the City Engineer.
26. Prior to the recordation of the Final Map, the subdivider shall demonstrate conformance with the Municipal Code provisions for building and landscape improvements (Land Development Code Sections 144.0507), to the satisfaction of the City Engineer. The parking requirements in Land Development Code Sections 144.0507 and 142.0525.a do not apply, since this project was deemed complete prior to the effective date of this ordinance (July 27, 2006).

10. The Subdivider shall provide each of the tenants of the proposed condominiums notification of their exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant, in conformance with Section 66427.1(d) of the State Map Act. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report, pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right.
11. The Subdivider shall provide the tenants of the proposed condominiums with written notification within 10 days or approval of a Final Map for the proposed conversion, in conformance with Section 66427.1(b) of the Subdivision Map Act.

AFFORDABLE HOUSING

12. Prior to issuance of the Final Map, the Subdivider shall comply with the Affordable Housing Requirements of the City's Inclusionary Housing Ordinance (Chapter 14, Article 2, Division 13 of the Land Development Code). Prior to receiving a Final Map, the Subdivider must enter into an agreement with the San Diego Housing Commission to assure the set aside at least 10 percent of the units affordable to households with an income at or below 100 percent area median income (AMI).
13. Prior to the recordation of the Final Map, the Subdivider shall either show evidence that relocation assistance has been paid to eligible tenants or enter into an agreement with the San Diego Housing Commission to demonstrate conformance with the Municipal Code provisions for Tenant Relocation Benefits (Chapter 14, Article 4, Division 5, Section 144.0505). In addition, the Subdivider must pay the appropriate fees incurred by the Housing Commission for compliance monitoring (Chapter 14, Article 4, Division 5, Section 144.0503).
14. The Subdivider will give each tenant a notice of termination of tenancy 60 days prior to being required to vacate the property. (Land Development Code Section 125.0431(a)(4)).
15. The Subdivider will provide to a prospective purchaser a copy of the Building Conditions Report prior to the opening of an escrow account. (Land Development Code Section 144.0504(c)).

ENGINEERING

16. The Subdivider shall replace the damaged portions of sidewalk, maintaining the existing sidewalk scoring pattern and preserving any contractor's stamp, adjacent to the site along Florida Street and Cypress Avenue.

judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, including, but not limited to, any to any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant

6. The subdivider shall provide a Notice of Tenants Rights and Notices for Condominium Conversion, consistent with the Land Development Manual to be provided as follows:
 - a. For existing tenants, within 10 days of the project application for the *condominium conversion* being deemed complete; or
 - b. For prospective tenants, upon application for the rental of a unit in the proposed *condominium conversion*.
7. The Subdivider shall provide each tenant, and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the State Map Act.
8. The Subdivider shall provide the tenants a Notice of Application for a Public Report at least 10 days prior to the submittal to the Department of Real Estate (DRB), pursuant to Section 66427.1(a) of the Subdivision Map Act.
9. The Subdivider shall provide each of the tenants of the proposed condominiums written notice of intention to convert at least 180 days prior to termination of tenancy due to the conversion or proposed conversion in conformance with Section 66427.1(c) of the Subdivision Map Act. The provisions of this subdivision shall not alter nor abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent, or the obligations imposed by Sections 1941, 1941.1 and 1941.2 of the Civil Code.

17. The project has been conditioned for the subdivider to complete the physical improvements as outlined in Land Development Code Section 144.0507, to the satisfaction of the City Engineer prior to final map approval.
18. The project has been conditioned for the subdivider to satisfy the inclusionary housing requirements on-site in accordance with Land Development Code Section 142.1306. (Land Development Code Section 144.0508).
19. The requested underground waiver of the existing overhead facilities, qualifies under the guidelines of Council Policy No. 600-25 *Underground Conversion of Utility Lines at Developers Expense* in that:
 - a. The conversion involves a short span of overhead facility, less than 600 feet in length.
 - b. The conversion would not represent a logical extension to an underground facility.
20. That said Findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that, based on the Findings hereinbefore adopted by the Planning Commission, Tentative Map No. 257318 including the waiver of the requirement to underground existing overhead utilities, is hereby granted to MATTHEW S. BROWAR AND NANCY A. BROWAR, IN THEIR CAPACITY AS TRUSTEES OF THE M.S. BROWAR FAMILY TRUST DATED 2/9/88, Applicant/Subdivider, subject to the following conditions:

GENERAL

1. This Tentative Map will expire August 7, 2011.
2. Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of Final Map, unless otherwise noted.
3. Prior to the Tentative Map expiration date, a Final Map to consolidate the existing lots into one lot shall be recorded in the Office of the County Recorder.
4. Prior to the issuance of the Final Map taxes must be paid on this property pursuant to section 66492 of the Subdivision Map Act. A tax certificate, recorded in the office of the County Recorder, must be provided to satisfy this condition
5. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages,

the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant, which notice shall be provided within 5 working days of the issuance of the Subdivision Public Report.. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right (Land Development Code Section 125.0444 and State Map Act Section 66427.1(d)).

9. The project was not financed by funds obtained from a governmental agency to provide for elderly, disabled, or low income housing (Land Development Code Section 125.0444.b).
10. For any project that was developed to provide housing for the elderly, disabled or to provide low income housing, provisions have been made to perpetuate the use for which the project was developed (Land Development Code Section 125.0444.c).
11. Each of the tenants of the proposed condominium project has received written notification of the project application for the condominium conversion within 10 days after the application was deemed complete (Land Development Code 125.0431(a)(3)).
12. The project has been conditioned that the subdivider will give each person applying for the rental of a unit in such residential real property written notification that the project application for the condominium conversion was deemed complete (Land Development Code 125.0431(a)(3)).
13. The project has been conditioned that the subdivider will give each tenant a notice of termination of tenancy 60 days prior to being required to vacate the property. (Land Development Code Section 125.0431(a)(4)).
14. A Building Conditions Report has been prepared in accordance with the Land Development Manual by a registered architect or engineer licensed by the State of California (Land Development Code Section 144.0504(b)).
15. The project has been conditioned that the subdivider will provide to a prospective purchaser a copy of the Building Conditions Report prior to the opening of an escrow account. (Land Development Code Section 144.0504(c)).
16. The project has been conditioned that the subdivider will provide a relocation assistance payment to all tenants of the project whose tenancy has terminated due to the condominium conversion. (Land Development Code Section 144.0505).

BE IT RESOLVED by the Planning Commission of the City of San Diego, that it adopts the following findings with respect to Tentative Map No. 257318:

1. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (Land Development Code Section 125.0440.b).
2. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (Land Development Code Section 125.0440.h and State Map Act Section 66412.3).
3. Each of the tenants of the proposed condominium project has received, pursuant to State Map Action Section 66452.9, written notification of intention to convert at least 60 days prior to the filing of a tentative map (Land Development Code 125.0444 and State Map Act Section 66427.1(a)).
4. The project has been conditioned that the Subdivider will give each tenant, and each person applying for the rental of a unit in such residential real property, all applicable notices and rights now or hereafter required by the State Map Act (Land Development Code Section 125.0444 and State Map Act Section 66427.1(a)).
5. The project has been conditioned that the Subdivider will give each tenant 10 days' written notification that an application for a public report will be, or has been, submitted to the Department of Real Estate, and that such report will be available on request (Land Development Code Section 125.0444 and State Map Act Section 66427.1(a)).
6. The project has been conditioned that the Subdivider will give each tenant of the proposed condominium project written notification within 10 days of approval of a final map for the proposed conversion (Land Development Code Section 125.0444 and State Map Act Section 66427.1(b)). If the subdivider chooses to provide affordable housing units, the subdivider shall enter into an affordable housing agreement with the Housing Commission, prior to recordation of the Final Map.
7. The project has been conditioned that the Subdivider will give each of the tenants of the proposed condominium project 180 days' written notice of intention to convert prior to termination of tenancy due to the conversion or proposed conversion (Land Development Code Section 125.0444 and State Map Act Section 66427.1(c)).
8. The project has been conditioned that the Subdivider will give each of the tenants of the proposed condominium project notice of an exclusive right to contract for

PLANNING COMMISSION
RESOLUTION NO. (to be filled)
TENTATIVE MAP NO. 257318
3650 FLORIDA STREET TENTATIVE MAP - PROJECT NO. 82092
DRAFT

WHEREAS, MATTHEW S. BROWAR AND NANCY A. BROWAR, IN THEIR CAPACITY AS TRUSTEES OF THE M.S. BROWAR FAMILY TRUST DATED 2/9/88, Applicant/Subdivider, and DONALD SCOTT PETERS, Surveyor, submitted an application with the City of San Diego for a Tentative Map No. 257318 to convert 24 residential units into condominiums and to waive the requirement to underground existing overhead utilities. The project site is located 3650 Florida Street, on the north west corner of Cypress Avenue and Florida Street, in the MR-1000 Zone of Mid City Communities Planned District within the Greater North Park Community Plan area. The property is legally described as Lots 41, 42, 43, 44, 45 and 46 of Virginia Square, Map No. 1597, filed September 18, 1913; and also all that portion of the north 10 feet of Cypress Avenue lying south of and adjoining lots 41 to 46 inclusive as vacated and closed to public use on July 22, 1914 by Resolution No. 17809 of the City Council of the City of San Diego; and

WHEREAS, the Map proposes the subdivision of a 0.6 acre site into one (1) lot for a 24 unit residential condominium conversion; and

WHEREAS, the project is exempt from environmental review pursuant to Section 15301(K) of the California Environmental Quality Act (CEQA) on the basis that the facilities are existing; and

WHEREAS, a preliminary soils and geological reconnaissance report are waived by the City Engineer pursuant to the Subdivision Map Act and Section 144.0220 of the Municipal Code of the City of San Diego; and

WHEREAS, the subdivision is a condominium project as defined in Section 1350 et seq. of the Civil Code of the State of California and filed pursuant to the Subdivision Map Act. The total number of condominium dwelling units is 24; and

WHEREAS, on August 7, 2008, the Planning Commission of the City of San Diego considered Tentative Map No. 257318, including the waiver of the requirement to underground existing overhead utilities, and pursuant to Sections 125.0440 (tentative map), 125.0444 (condo conversion), and 144.0240 (underground) of the Municipal Code of the City of San Diego and Subdivision Map Act Section 66428, received for its consideration written and oral presentations, evidence having been submitted, and heard testimony from all interested parties at the public hearing, and the Planning Commission having fully considered the matter and being fully advised concerning the same; NOW THEREFORE,



City of San Diego
Development Services
1222 First Ave., MS-302
San Diego, CA 92101
(619) 446-5000

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit
 Variance Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment • Other _____

Project Title: 3650 Florida Street TM Project No. For City Use Only: 82092

Project Address: 3650 Florida Street

Part I - To be completed when property is held by individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached Yes No

Name of Individual (type or print): MAH BROWAR
 Owner Tenant/Lessee Redevelopment Agency

Street Address: 2207 Garnet Ave #J
City/State/Zip: JAN DURO, CA 92109
Phone No: (658) 270-5500 Fax No: _____

Signature: [Signature] Date: 8/23/05

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency

Street Address: _____
City/State/Zip: _____
Phone No: _____ Fax No: _____
Signature: _____ Date: _____

Name of Individual (type or print): Nancy Browar
 Owner Tenant/Lessee Redevelopment Agency

Street Address: 2207 Garnet Ave #J
City/State/Zip: SAN DIEGO, CA 92109
Phone No: 858-270-5500 Fax No: _____

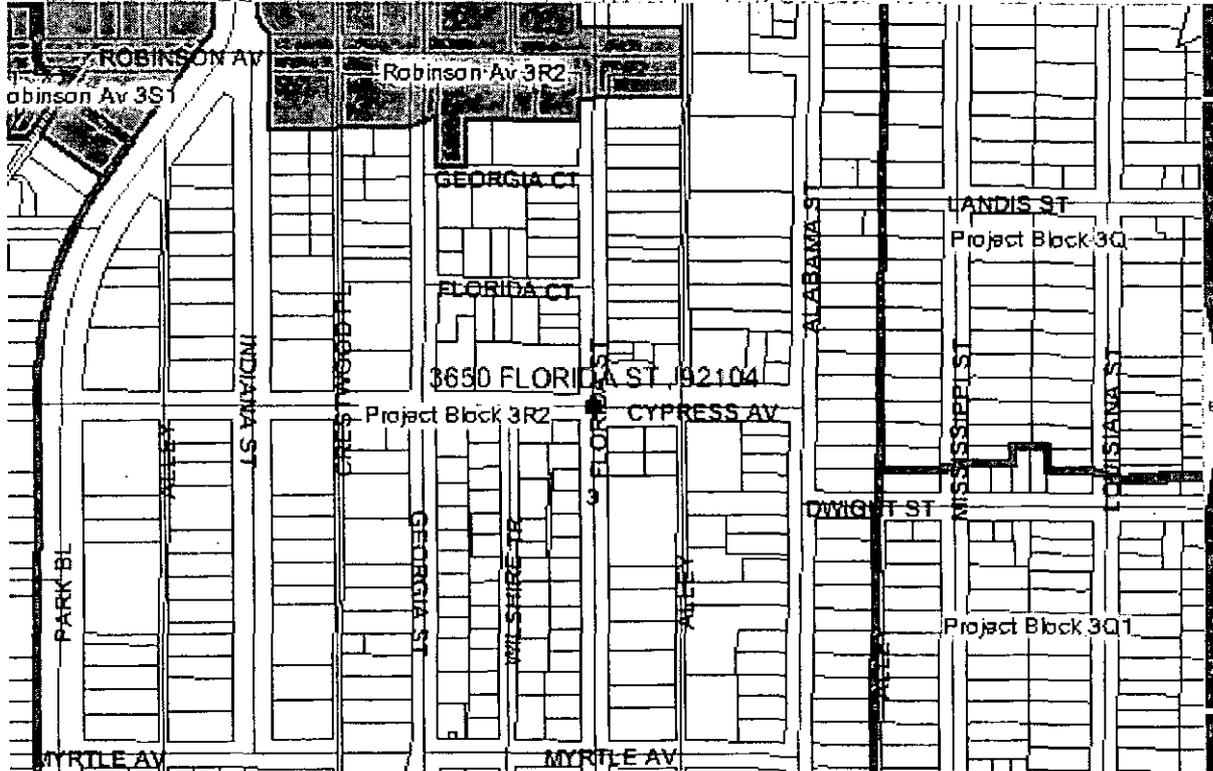
Signature: _____ Date: _____

Name of Individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency

Street Address: _____
City/State/Zip: _____
Phone No: _____ Fax No: _____
Signature: _____ Date: _____

DEVELOPMENT SERVICES
Project Chronology
 3650 FLORIDA TENTATIVE MAP – PROJECT NO. 82092

Date	Action	Description	City Review Time	Applicant Response
9/16/05	First Submittal	Project Deemed Complete		
10/6/05	First Assessment Letter		14 days	
7/25/06	Condo conversion regulations	Review landscape plans & building conditions report for projects in review		
6/26/07	Second Submittal	Review includes building conditions report & landscape		14 months, 13 days
7/24/07	Second Review Complete		19 days	
10/2/07	Third Submittal	Second review of building conditions report & landscape		49 days
11/5/07	Third Review Complete		24 days	
1/16/08	Fourth Submittal	Building conditions report review and LDR-Engineering review		47 days
2/8/08	Fourth Review Complete		17 days	
3/6/08	Fifth Submittal	Building conditions report review		18 days
4/9/08	Fifth Review Complete		23 days	
4/24/08	Sixth Submittal	Building conditions report review		11 days
5/7/08	Sixth Review Complete		9 days	
5/13/08	Seventh Submittal	Building conditions report review		4 days
5/19/08	Seventh Review Complete		4 days	
6/18/08	All issues resolved	Building conditions report review	21 days	
8/07/08	Public Hearing	Planning Commission	35 days	
TOTAL STAFF TIME		Averaged at 30 days per month	5 months, 16 days	
TOTAL APPLICANT TIME		Averaged at 30 days per month		1 year, 6 months, 22 days
TOTAL PROJECT RUNNING TIME		From Deemed Complete to Hearing	2 years, 8 days	



Council Districts

Council District: 3
Member Name: Toni Atkins
Office Phone: (619) 236-6633

Utilities Undergrounding Projects

Project Name: Project Block 3R2
Year Allocated: 2049
Project Start: May 21, 2051
Project End: May 10, 2053
Contact Person: Carol Drummond
Phone #: 6195333841
Email: undergrounding@sa
Website: www.sandiego.gov,
Council District: 3
Phase: unallocated



Underground Project Schedule

3650 FLORIDA TENTATIVE MAP - PROJECT NO. 82092

3650 Florida Street



000451

Browar Development Corporation

2207 Garnet Avenue, Suite J San Diego, CA 92109 (858) 270-5500

Tenant 60 Day Notice of Intent to Convert to Condominiums

May 6, 2005

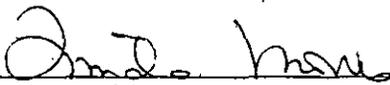
Chad Abercrombie
Robert O. Larson
3650 Florida St., Unit X
San Diego, CA 92104

The owner(s) of this building, at 3650 Florida St., Unit X, San Diego, CA 92104 plans to file a Tentative Map or Map Wavier with the City of San Diego to convert this building to a condominium project.

You shall be given notice of each hearing for which notice is required pursuant to Sections 66451.3 and 66452.5 of the Government Code, and you have the right to appear and the right to be heard at any such hearing.

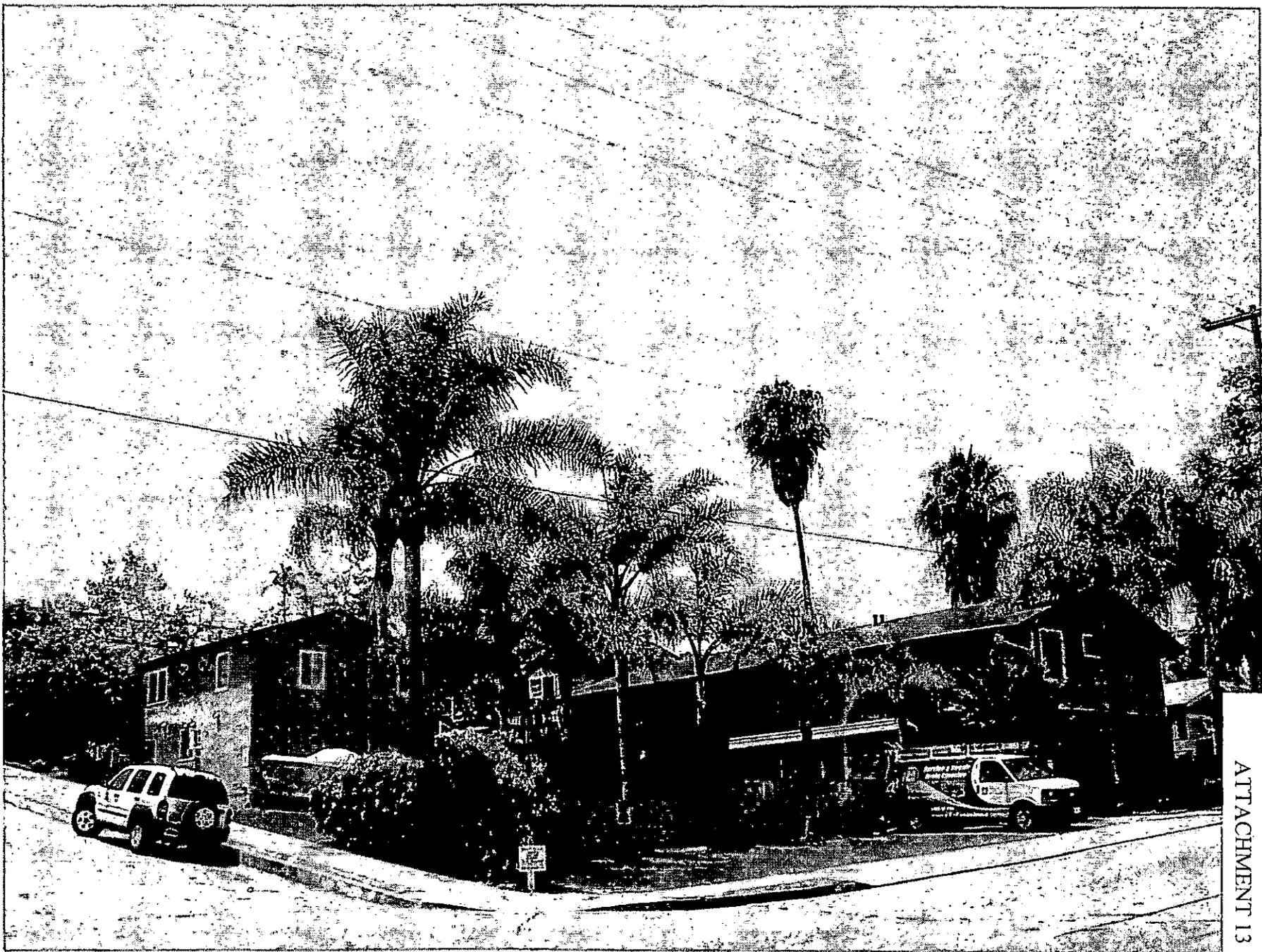
Should the condominium conversion project be approved, tenants may be required to vacate the premises.

Please Note: It is not my intention to sell these apartments as condominiums now or in the near future. This conversion process is only being pursued as a precaution to possible future City of San Diego changes which may make a conversion in the future cost prohibitive or impossible. It is being done solely for the purpose of having the opportunity to put a condominium map on the property while it is still possible to do so. We have no intention of making the physical change, but I feel it is important to the value of the building to have this process in place should the real estate climate have any radical changes in the future.



(Signature of owner or owner's agent)





ATTACHMENT 13



000454

ATTACHMENT 13



ATTACHMENT 13

000455



000456

ATTACHMENT 13

PARRA BUILDING CONSULTANTS

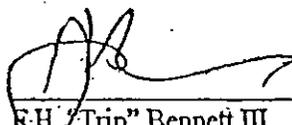
BUILDING CONDITIONS REPORT

3650 FLORIDA STREET
SAN DIEGO, CA 92104

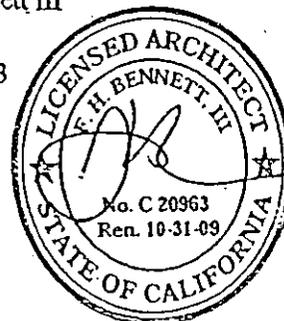
Date Re-Issued: 09/17/2007



Dennis Parra
CA Lic. #324386



F.H. "Trip" Bennett III
Architect
Lic. No. C 20963



Appendix "A"

PTS #82092
3650 Florida Avenue

This report has been prepared by a California registered architect.

This property consists of 24 units. All 24 units were inspected. For more detail of each unit, please see pages 5, 18 & 19 in the report.

Sound Transmission Between Units:

No sound transmission testing has been conducted, nor is any scheduled to be conducted on this building. Sound transmission testing and building modifications to lessen sound transmission between units is not a required modification and will not be addressed during building improvements.

All items listed below have a remaining life of 5 years or less and will be repaired or replaced.

1. Minor repair will be done on exterior walls where needed.
2. Breakers to code will be installed in all kitchens, bedrooms, baths and exterior locations.
3. Hard-wired battery backup Smoke Detectors will be installed in all bedrooms and living rooms, required by code.
4. Repair of original building windows to make operable and replacement of windows where needed to comply with the emergency egress provisions to the current standard code.
5. Cracked or damaged portions of the walkways will be repaired.
6. Gutters will be repaired or replaced where needed.
7. Handrails where needed, will be updated to meet with current safety standards.
8. Water heaters where needed, will be corrected to meet with current safety standards.
9. Minor roof repair will be made where needed.

000459

PARRA BUILDING CONSULTANTS

BUILDING CONDITIONS REPORT

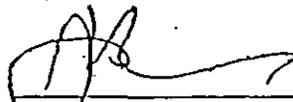
3650 FLORIDA STREET

SAN DIEGO, CA 92104

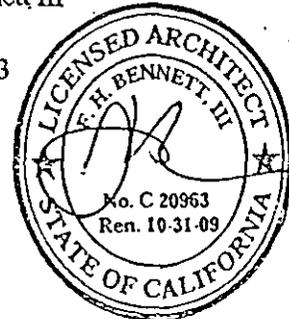
Date Re-Issued: 09/17/2007



Dennis Parra
CA Lic. #324386



R.H. "Trip" Bennett III
Architect
Lic. No. C 20963



000460

PARRA BUILDING CONSULTANTS

September 17, 2007

City of San Diego
1222 First Avenue
San Diego, CA 92101-4154

Attn: Larry Lewis - Development Services

Re: Building Conditions Report
3650 Florida Street
San Diego, CA 92104

The requested updates of the attached Building Conditions Report can be found within the report as follows:

- Issue #7 – changes can be found in section 2.8.4
- Issue #8 – changes can be found in section 2.4.3
- Issue #9 – changes can be found in section 2.7.1
- Issue #10 – changes can be found in section 2.8.4

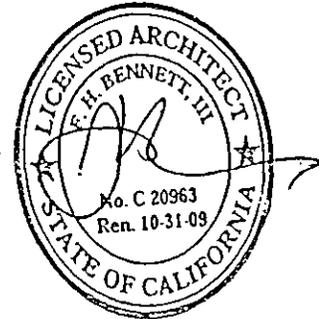
Submitted by,



Dennis Parra
CA Lic. #324386



R.H. "Trip" Bennett III
Architect



000461

Owner: Matthew S. Browar and Nancy A. Browar, Trustees of the M.S. Browar
Family Trust dated 2/9/88
Attn: Matthew Browar
2207 Garnet Avenue, Suite J
San Diego, CA 92109

Regarding: Residential units
3650 Florida Street
San Diego, CA 92104

Legal: Lots 41, 42, 43, 44, 45 and 46 of Virginia Square, in the City of San
Diego, County of San Diego, State of California, according to Map thereof
No. 1597, filed in the Office of the County Recorder of San Diego County,
September 18, 1913.

Also all that portion of the north 10 feet of Cypress Avenue lying south of
and adjoining lots 41 to 46 inclusive as vacated and closed to public use
on July 22, 1914 by Resolution No. 17809 of the City Council of the City of
San Diego.

APN: 453-183-09

Parra Building Consultants is pleased to provide this Building Conditions Report for the
property at 3650 Florida Street. This assessment was performed in general accordance
with the City of San Diego's scope of work for Building Conditions Reports.

We appreciate the opportunity to provide our services. If you have any questions
concerning this report, or if we can assist you in any other matter please contact us.

Sincerely,



Dennis Parra
CA Lic. # 324386

F. H. "Trip" Bennett, III
Architect

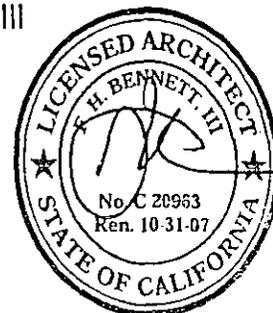


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PROJECT SUMMARY

Parra Building Consultants performed a property condition assessment on 10/13/2006 on the property located at 3650 Florida Street, San Diego, CA 92104 (subject property).

The Subject Property consists of twenty-four residential units in four two-story buildings situated at the west side of Florida Street, approximately three miles west of Highway 805 and two miles south of Interstate 8 highway. The buildings are finished with stucco, and have sloping roofs covered with composition shingles.

A. General Description

The twenty-four units in four buildings are landscaped and have walkways to each building. The south and west sides of the property have retaining walls. The two story buildings have exterior stairways to the second level. Gas meter banks are located at the inner ends of the original buildings, and at the northeast corner of the building addition. Each building has an independent main incoming electric service.

The subject property is zoned C use code. The lot is listed at 26,136 square feet. The current zoning maximum density allowed on this lot is 24.

BUILDINGS	BUILDING AREA (SF)	# OF STORIES	FIRE SPRINKLERS	
			YES	NO
3 two-story buildings	1,750 ea	2		X
1-two story building	2,250	2		

UNIT MIX		
Size	Number of Units	SF Area (SF)
2-bedroom/1-bath	16	800 sq ft each
Studio with 1-bath	8	400 sq ft each

B. General Physical Condition

The subject property was observed to be fair overall condition. Maintenance of subject property's major systems, components and equipment appears to have taken place over the life of the structure.

C. Conclusions/Recommendations

Deferred maintenance items and physical conditions that are considered minor and require immediate repair, or will need to be replaced within five years, were identified and included in the following: Provide and install hard wire smoke detectors in all bedrooms and outside of bedroom doors, minor exterior stucco wall repair, bathroom and kitchen fixture/appliance replacement of original fixtures, repair or replace original building windows to make operable, remove and repair paved concrete at walkways to be flush and level. All exposed wood doors, windows and trim should be prepared for, and should be painted. Minor roof repairs will be needed. Due to erosion, excavation is needed to remove nonnative soil (eliminating excess soil up to eight inches).

Building Components and Systems with Remaining Life of five years or less

BUILDINGS SYSTEMS	LESS THAN FIVE YEARS REMAINING LIFE	MORE THAN FIVE YEARS REMAINING LIFE
Structural		5
Foundation		5
Roof		5
Electrical		5
Plumbing		5
Sewer	5	5
Heating	5	
Cooling		N/A

The structural elements of the building were observed to be in fair condition. The recommendations in this report should be made in an appropriate time frame; a preventive/remedial maintenance program should be implemented continually; and all site systems and building components should be replaced as necessary with an acceptable standard of care. Other site and building elements are replaceable; however, as the property ages, the maintenance program cost should be expected to increase.

PARRA BUILDING CONSULTANTS makes no comment on the marketability of the site. Any qualifications and limitations in place for the building conditions report as provided by Parra Building Consultants is applicable to the summary comments mentioned in this report.

1.0 INTRODUCTION

At the request of M. S. Browar Family Trust, a building conditions assessment was performed by Parra Building Consultants at the property location of 3650 Florida Street, in San Diego, CA (Subject Property). This assessment was performed in accordance with the Client's scope of work for Property Condition Assessments. Parra Building Consultants prepared this report for the review of the City of San Diego Development Services.

1.1 Purpose

The purpose of this Building Conditions Report was to observe and document readily visible materials and building systems, which might significantly affect the value of the property, and determine if conditions exist which may have a significant impact on the continued operation of the facility during the evaluation period.

1.2 Reliance

All reports, both verbal and written, are for the benefit of the current owner and the City of San Diego Development Services. This report has no other purpose and may not be relied upon by any other person or entity without the written consent of Parra Building Constants.

1.3 Scope and Exceptions

This Report is based on a site visit, in which agents of Parra Building Consultants performed a visual, non-intrusive and non-destructive evaluation of various external and internal building components. All of the accessible buildings components were observed and physical conditions evaluated in general accordance with ASTM E2018-01. These systems include site development, building structure, building exterior and interior areas; mechanical, electrical, and plumbing systems, conveyance systems, life safety/fire protection, and general ADA compliance. Photographs were taken to provide a record of general conditions of the facility, as well as building code, safety, regulatory or environmental compliance inspection.

During the site visit we observed the interior spaces to determine their general character and condition, site personnel and/or property managers to add or confirm the general character of the construction.

If any additional information is encountered concerning the facility, it should be forward to Parra Building Consultants for possible re-evaluation of the assumptions, conclusions and recommendations presented herein. The recommendations provided herein are for observed conditions based on the understanding that the facility will continue operating in its present occupancy classification.

This Report is based on the evaluator's judgment on the physical condition of the components and their known ages. The conclusions presented are based upon the evaluator's professional judgment. The actual performance of individual components may vary from a reasonable expected standard and may be affected by circumstances that occur after the date of the evaluation.

The Report does not identify minor, inexpensive repairs or maintenance items, which are clearly part of the property owner's current operating budget as long as these items appear to be addressed on a regular basis. The report does identify infrequently occurring maintenance items of significant cost, such as exterior painting, deferred maintenance and repairs and replacements that normally involve major expense or outside contracting.

The following terms are used throughout the report and are defined as follows:

- Excellent: New or Like New
- Good: Average to above-average condition for the building system or material assessed, with consideration of its age, design, and geographical location. Generally, other than normal maintenance, no work is recommended or required.
- Fair: Average condition for the building system evaluated. Satisfactory, however some short term and/or immediate attention is required or recommended, primarily due to normal aging and wear of the building system, to return the system to good condition.
- Poor: Below average condition for the building system evaluated. Requires immediate repair, significant work or replacement anticipated to return the building system or material to an acceptable condition.

Unless stated otherwise in this report, the systems reviewed are considered to be in fair condition and their performance appears to be satisfactory.

1.4 Document Review and Interviews

Parra Building Consultants were provided with the following documents for review:

- None

The following people or organizations were interviewed by an agent of Parra Building Consultants during the site visit or report preparation:

- Building manager/owner representative.

2.0 SYSTEM DESCRIPTION AND OBSERVATION

2.1 Overall General Description

This assessment observation was conducted on October 13, 2006 at 3650 Florida Street, San Diego, California. The subject property consists of a rectangular shaped parcel of land situated at the west side of Florida Street, approximately three miles from Highway 805 and two miles south of Interstate 8 highway. The property has four two-story multi-family buildings totaling approximately 7,500 square feet. In addition the property has concrete pedestrian walks, and landscape throughout.

The buildings are conventional wood framed structures constructed on concrete block raised foundations with post and pier supports. The conventional roof framing is covered with composition shingles with low slope eyebrow roof above porch entries covered with built up systems. The exterior walls of the buildings are finished with brick cladding on the first floor and wood siding on the second floor. The addition to the property added after original construction is wood framed built on a slab-on-grade foundation with stucco finish and wood trim.

According to title information, the buildings were constructed in 1946.

The subject property has fifteen designated parking spaces in two areas.

Typical interior finishes of the original structures include painted plastered walls and ceilings with hardwood floors except for kitchens and bathrooms, most units have had recent remodels with newer tile floors installed in the kitchens and baths, new Formica or tile countertops and new fixtures except for some showers (plumbing), un-refurbished units of the original buildings have hardwood flooring except for the kitchens and bathrooms, which have either ceramic tile or linoleum. The kitchens have a mixture of old and newer appliances. The studio units (of later construction) have drywall walls and ceilings, carpet covering the slab foundations, and a mix of refurbished and original kitchens and baths. New apartment-sized appliances (refrigerators and gas ranges) have been included in refurbished units. The windows are single pane aluminum framed, sliding windows. The units do not have air conditioning provided.

2.2 Site Visit

A professional associate of Parra Building Consultants performed the site visit portion of this property condition assessment on 10/13/2006. The following summarizes the building systems evaluated:

- Site Development
- Building Structure
- Building Exterior
- Building Interior
- Mechanical System
- Electrical System
- Plumbing Systems
- Conveyance System
- Life Safety/Fire Protection
- ADA Compliance

2.3 Site/Site Improvements

2.3.1 Topography

Description:

The subject property was built on a cut and fill lot of a steep grade. The cut, sloping from the rear to the front of the property (approximately four feet from back to front), and below grade of the adjacent property to the north and below grade to Cypress St., running parallel along the south side of the property.

Observations/Comments:

Site topography is in poor overall condition, as large amounts of un-drained areas and foreign soil was noted throughout the property (covering weep screeds, above sill levels of buildings, burying gas meters, blocking sub floor access locations, etc.).

The later addition of studio units was built below grade (at the north side of the building), but no waterproofing was noted

2.3.2 Storm Water Drainage

Description:

Storm water from the subject property drains via surface drainage to the front of the property and includes ground drains located between the two front buildings, a trough drain and a sump drain. The sump drain with an incoming three-inch plastic line coming from an unknown point of origin, and a four-inch cast iron evacuatory line-plumbed to an unknown point of termination.

Observations/Comments:

[*Light rain at time of inspection] - Drainage does not appear adequate. Water noted flowing into sub grade laundry room at the north side of the building, also numerous areas of standing/undrained water, and surface drainage towards buildings with standing water noted against foundation walls in several locations. Per current property manager, drains were recently added to alleviate flooding.

2.3.3 Paving Type/Age

Description:

Original concrete sidewalks and walkways to the various buildings.

Observations/Comments:

Trip hazard noted at front of property. Some minor surface reticulation, and common cracks (typical for age) noted.

2.3.4 Curbs

Description:

Curbing is provided along adjacent sidewalk/public streets, and is constructed of cast-in-place concrete.

Observations/Comments:

12 in. + curb noted at Cyprus St., south side of property.

2.3.5 Pavement Striping

Description:

Striping provided for the seven parking spaces at the east lot and eight spaces at the south lot.

Observations/Comments:

None.

2.3.6 Flatwork/Stairs/Railing

Description:

The pedestrian walkways consist of cast-in-place concrete. Entries have stoops with steps with adequate handrails, excluding stoops at the two rear buildings. There is a single flight of stairs to access the second level of the eight-unit addition of steel construction with open treads.

Observations/Comments:

Flatwork/stairs/railing appeared to be in fair condition, however it is recommended that the treads be enclosed to meet with current safety standards, and handrails added at the stoops of the rear buildings.

2.3.7 Landscaping and Appurtenances

Description:

The property includes a large grass area in front of the studio units, and the remainder of the property is greenscaped at the fronts and sides of the buildings, and gravel as ground cover at the rear of the buildings. There is a 3-1/2 foot separation wall between the lawn area and the walkways to the rear units.

Observations/Comments:

Landscape irrigation directed towards building in multiple locations, causing surface damage and possible moisture infiltration of brick facade.

2.3.8 Utilities

Description:

The necessary utilities are installed and available at the site and appear adequate for current property needs. The City of San Diego provides domestic water to the property with one meter. San Diego Gas and Electric provides gas and electrical services to the site. The property contains twenty-five electric meters, twenty-five gas meters and a main water meter. AT&T provides telephone service to the Subject Property.

UTILITY	PROVIDER	ISSUE/ADEQUACY
Electric	San Diego Gas & Electric	Inadequate; existing fuse system is outdated, needing to be upgraded.
Sewer	City of San Diego	Adequate
Water	City of an Diego	Adequate
Gas	San Diego Gas and Electric	Adequate: To be Inspected by SDG&E.
Telephone	AT&T	Adequate.

2.3.9 Site Lighting

Description:

Site lighting consists of wall-mounted fixtures at entrance to each unit, and overhead lighting provided for parking at the south installation. And for the front of the property, located at the southeast corner of the studio units.

Observation/Comments:

The fixtures and lighting appear to be in fair condition overall. Recommend routine maintenance/replacements, which is anticipated for the remaining life of the building.

2.3.10 Waste Storage Area

Description:

A dumpster is located at the rear of the studio units, at the northeast corner of the property, concealed behind wood fencing.

Observations/Comments:

None

2.3.11 Site and Building Signage

Description:

Individual units are identified by wood marques

Observations/Comments:

None

2.3.12 Retaining Walls

Description:

The rear and sides of the property are wrapped by a retaining wall.

Observations/Comments:

The wall was observed to be in poor overall condition. Over time, due to continual erosion, additional height was added to the retaining wall at the rear and south sides of the property, apparently in at least two subsequent installations.

2.3.13 Other Site Amenities/Recreational Facilities

Description:

Laundry facilities are located at the ground level of the eight-unit two-story building, with access at the rear.

Observations/Comments:

Surface drainage of storm water noted flowing into sub grade laundry facilities.

2.4 Structural Frame and Building Envelope

2.4.1 Substructure

Description:

Parra Building Consultants was not provided with any architectural / structural drawings for review. The foundation and floor framing is generally in original condition. Foundations are raised concrete block at the original structures and slab on grade at the eight-unit addition.

Observations/Comments:

Drainage corrections needed around and under buildings. Seismic upgrade is recommended of existing foundations of original buildings.

2.4.2 Superstructure

Description:

Parra Building Consultants was not provided with any architectural / structural drawings for review. Therefore, based on our limited site assessment, the structural components of the building construction were not accessible for observation.

Observations/Comments:

None

2.4.3 Façade

Exterior Walls

Description:

The exterior surfaces of the wood framed original buildings are finished with brick façade covering the first level of the sides and front, and the rear is finished with a combination of wood siding and stucco. The second level of the original buildings is finished with wood siding on the second level. The structures have attic spaces. The exterior surface of the eight-unit addition is finished with stucco.

Observations/Comments:

The top of the brick façade does not have waterproofing, needing a flashing at the wall transition. The base of the walls were observed as lacking a drainage system. Surface damage and deterioration of brick façade areas throughout, irrigation system spraying sides of building causing efflorescence, surface bio-growth, and spalling, needing repairs. Exterior trim appears to be original in well-painted condition. Recommend repair or replacement of aging elements and periodic repainting and maintenance for remaining life of building.

Windows*Description:*

Exterior windows consist of wood framed double-hung style, single glazed glass, and bathroom windows were replaced with aluminum-framed units. The windows of the eight-unit building addition are aluminum-framed, single glazed glass.

Observations/Comments:

Many of the wood framed windows are painted in the closed position. The aluminum framed windows in the living areas of the eight-unit building addition are within eighteen inches of the floor, but were not observed as having safety glass. Maintenance and lubrication needed. Recommend repair and periodic repainting and maintenance for remaining life of building. Windows will be replaced as needed to comply with the egress requirements.

Doors/Frames*Description:*

Unit entry doors/frames are wood construction. Door entry hardware is typically knobbed-keyed locks and cylinder dead bolts. The front entry doors were observed to have security screens, typically with knobbed-keyed locks and cylinder dead bolts.

Observations/Comments:

Exterior doors are in fair condition, showing typical wear for age. We recommend refurbishing or replacing older decorative entry doors.

2.4.4 RoofingRoof Type*Description:*

The roof was observed as having sloping surfaces. The sloping surfaces are covered with composition shingles. The small eyebrow roofs over the front entries are low slope and covered with built up systems.

Observations/Comments:

The roofs were observed as being older and in poor condition. Replacement will be needed to provide a minimum of five years longevity.

Active Leaks*Description:*

The buildings did not have visible active leaks.

Observations/Comments:

None

Roof Drainage

Description:

The roofs were observed to have gutters at the perimeter runoff control.

Observations/Comments:

Gutters were observed to be leaking at the seams, needing to be repaired.

Warranty

Description:

Not applicable

Observation/Comments:

None.

2.4.5 Stairs

Description:

The units within the original buildings have individual interior stairwells with a low pony wall at the second floor landings. The eight-unit addition has one exterior stairway of open tread steel construction.

Observation/Comments:

Handrails for the interior stairwells of the original buildings do not have returns to the walls. The pony walls at the second floor landings do not meet height requirements for modern safety standards. The exterior stairway for the eight-unit addition The height of the wall of the steps for the second-level units is less than adequate for today's safety standards, and does not have a handrail. It is recommended that the treads be enclosed to meet with current safety standards.

2.4.6 Balconies/Patios/Elevated Walkways

Description:

The second level of the eight-unit addition has a concrete walkway with adequate handrail.

Observations/Comments:

The second level walkway was observed to be in good condition.

2.5 Mechanical, Electrical & Plumbing

2.5.1 HVAC Systems

Description:

The units in the original buildings were originally designed with a gas powered floor furnace for the first floor units and gas 25,000 Btu wall heaters at the second floor. The eight-unit addition has 25,000 Btu wall heaters.

Observations/Comments:

It was observed that most heaters have been abandoned or replaced since original construction. Floor heaters have been removed at several locations with the floors repaired, and either a 25,000 BTU or electric wall heater added for replacement, however some units were not provided with replacements. Many second floor wall heaters have been replaced, and others removed.

2.5.2 Electrical Systems

Description:

San Diego Gas and Electric provide electrical service. Each building has an independent system utilizing the original fused main serving individual Zinsco sub panels for the each unit. The eight-unit addition has the original circuit breaker main.

Observations/Comments:

The electrical system needs to be upgraded for safety and modern use. It was observed that the existing system has cross wiring, noted at the northwest building.

2.5.3 Plumbing Systems

Piping systems

Description:

Hot and cold water piping was observed to be copper coming from the City provided meter at the front of the property on Florida Street. Individual shut off valves were noted at east end of the eight-unit addition, two shut off valves at building I, J, K, L, and one shut off valve at the rear of building at the northwest corner of the property. ABS sewer drain lines and steel gas lines were observed.

Observations/Comments:

Routine maintenance including cleaning of waste lines is recommended for the remaining life of the building. Underground piping conditions cannot be determined; recommend camera survey. It is recommended that the older cast iron waste lines be replaced.

Domestic Hot Water

Description:

The City of San Diego provides the cold water supply to the subject property, coming from the front of the property. An 80-gallon gas fired heater located in the laundry room serves the eight-unit addition. The units in the original buildings have individual gas fired 30-gallon water heaters.

Observations/Comments:

The domestic hot water tanks were in fair condition, however there were several safety issues that need to be corrected, i.e. missing downspout, missing seismic restraint straps, etc. The water heaters in the original units have undersized vents.

2.6 Vertical Transportation/Conveyor Systems

2.6.1 Elevators

Description:

None.

Observations/Comments:

None.

2.6.2 Escalators

Description:

None.

Observations/Comments:

None.

2.7 Fire/ Life Safety

Description:

Some smoke detectors were observed in the living areas.

Observations/Comments:

Install hard-wired battery back-up smoke detectors in all bedrooms and living areas.

2.7.1 Fire Sprinklers

Description:

The property does not have a fire sprinkler system.

Observations/Comments:

See City of San Diego requirements for required needs.

2.7.2 Life Safety/Alarm Systems

Description:

The building does not have a fire alarm system.

Observations/Comments:

See City of San Diego requirements for general fire safety requirements.

2.8 Interior Elements

2.8.1 Room Mix

Description:

The subject property has twenty-four units in four two-story buildings. The original buildings have two-bedroom and one bathroom units. The eight-unit addition has studio units.

Observations/Comments:

None.

2.8.2 Viewed Spaces

APARTMENT UNITS OBSERVED - 18		
OCCUPIED UNITS OBSERVED - 18		
Unit	Type	Comments/Issue
B	Studio with 1 bathroom	Good condition Old Fixtures – New bathroom
C	Studio with 1 bathroom	Good condition New Fixtures – New bathroom
D	Studio with 1 bathroom	Good condition New Fixtures – New bathroom
E	Studio with 1 bathroom	Good condition Old kitchen – New bathroom
F	Studio with 1 bathroom	Good condition New kitchen – Older bathroom
I	2 bedroom / 1 bathroom	Good condition New fixtures – damaged kitchen sink
K	2 bedroom / 1 bathroom	Good condition New fixtures
M	2 bedroom / 1 bathroom	Good condition Old fixtures – Newer kitchen
N	2 bedroom / 1 bathroom	Good condition Old fixtures
P	2 bedroom / 1 bathroom	Good condition New Fixtures
Q	2 bedroom / 1 bathroom	Good condition New fixtures
R	2 bedroom / 1 bathroom	Good condition New Kitchen – Old bathroom
S	2 bedroom / 1 bathroom	Good condition New Kitchen – New bathroom

T	2 bedrom / 1 bathroom	Good condition Old kitchen and bathroom
U	2 bedrom / 1 bathroom	Good condition New appliances-New fixtures
V	2 bedrom / 1 bathroom	Good condition Old fixtures and appliances
W	2 bedrom / 1 bathroom	Good condition Old fixtures and appliances
X	2 bedrom / 1 bathroom	Good condition Old fixtures and appliances
VACANT UNITS OBSERVED: 0		
DOWN UNITS OBSERVED: 0		

2.8.3 Floor Coverings

Description:

Floor coverings of the original buildings consist of hardwood flooring in the living areas and linoleum or ceramic tiles in the kitchens and bathrooms. The studio units in the eight-unit addition have carpeted living spaces and linoleum and/or tile bathrooms and kitchens.

Observations/Comments:

The floor coverings are in fair condition. Visible patches were noted in the areas of some removed floor heaters.

2.8.4 Ceiling and Walls

Description:

The interior walls and ceilings are plaster finish with texture and paint. The interior walls and ceilings of the eight-unit addition have drywall.

Observations/Comments:

Interior finishes were observed as having some patching of the walls and ceilings. ~~The ceilings and walls will be upgraded as required for Noise Control requirements. The ceilings and walls will be upgraded as required for Noise Control requirements.~~ Drywall will be replaced as needed to upgrade components behind the drywall.

PLEASE SEE APPENDIX "A" FOR FURTHER EXPLANATION

2.8.5 Appliances and Cabinetry

Description:

The appliances provided in each unit include a gas range and electric refrigerator.

Observations/Comments:

Kitchen appliances, cabinets and countertops are in fair condition. Some units have newer cabinets and/or countertops.

3.0 ADA COMPLIANCE

The review of this Subject Property for compliance with state and local accessibility requirements is beyond the scope of this report.

The scope of this report is limited to a general overview of the subject property improvements common public areas (of improvements considered to be "Public Accommodations") based upon the requirements of Title III of the Americans with Disability Act (ADA). Per Title III, disabled persons are to be provided accommodations and access equal to, or similar to, that available to the general public and requires that architectural and communication barriers in existing public accommodations be removed if they are "readily achievable" and are not an "undue burden". Most states and local municipalities have adopted accessibility requirements that, in some cases, may be more stringent than the ADA. Any "place of public accommodation", which is designed and constructed for first occupancy after January 26, 1992 is required to be compliant with ADA requirements.

This section will identify certain obvious items that do not appear to be in general conformance with the Title III requirements; without inferring that correction of the reported items will bring the property into total compliance with the ADA. While opinions of cost to correct or remove noted barriers are provided herein, they do not constitute an opinion that elimination of the barriers is "readily achievable" and not an "undue burden" as defined by the ADA. The owner must determine this issue. The ADA is not intended to affect the contractual responsibilities existing in lease agreements between owners and tenants. Typically, the tenant is responsible for review and making readily achievable accommodations in its own lease/work space while the owner is responsible for the common areas of the improvements.

Given the age of buildings, it is not in compliance with the current minimum ADA guidelines specifically as it relates to areas of "Public Accommodations" such as apartment unit access, parking and restrooms. Additionally, no major renovations to the Subject Property were reported to have been done after January 26, 1992. Therefore, Title III of the ADA does not apply to this property at this time.

It is important to note that the ADA was enacted as a guideline for designing new buildings and was not necessarily intended to serve as a regulation for existing buildings. Therefore, implementation of certain upgrades may not necessarily be mandated due to "grandfather clauses" and/or "undue hardships" involved in satisfying ADA standards. Upgrades and/or retrofits would most likely be required only in the event of significant property remodeling, reconstruction or use/occupancy reclassification. The extent of any upgrade requirements would be subject to interpretation by any number of city, state or federal agencies.

Corrections, if mandated, of these condition should be addressed from a liability standpoint and are not considered code violations. The guidelines are civil rights issues as they pertain to the disabled.

5.0 LIMITATIONS

Property Condition Assessment reports are observation in nature. Information contained in this report was obtained by means of site observations, interviews and Client-provided documents and information. Evaluation by visual observation is specifically limited to those items or components that are readily accessible and visible to the unaided eye. No testing, neither destructive nor non-destructive, was performed, and no calculations were performed to determine the capacities of the existing building systems. The observation of concealed or inaccessible areas of the subject property, which would have required the use of destructive investigation, was beyond the contracted scope of services. The information presented in this report represents the condition of the subject property at the time of site visit. Other issues may develop with time that were not evident at the time of this assessment. Parra Building Consultants has prepared this assessment using the degree of care and skill ordinarily exercised under similar conditions by reputable consultants performing due diligence in this or similar localities. No other expressed or implied warranty is made regarding the content of this assessment.

The section "Out of Scope Considerations" of the ASTM "Standard Guide for Property Condition Assessments: Baseline Property Condition Assessment Process" (ASTM E 2018-01) is incorporated by reference.

Items identified as requiring action are so noted. Conclusions and recommendations should be not construed in any way to constitute a warranty or guarantee regarding the current or future performance of the facility. Costs to perform work should be provided by a licensed contractor skilled the that particular trade or type of work.

This report is intended to be read in whole. Information provided in the various sections is complementary and in some instances provides additional explanation of information concerning the assessment. Therefore, interpretations and conclusions drawn by reviewing only specific section are the sole responsibility of the user.

The representations regarding the status of ADA Title III compliance were based on visual observation and without any physical measurement and, thus are only intended to be a good faith effort to assist the owner/client by noting non-conforming conditions.

Owner/client has the right to reproduce in full and provide copies of the assessment report to interested parties including the owner's/client's agents, bond rating agencies, and exiting/potential loan or loan-pool participants. All reports, both verbal and written, are for the benefit of owner/client and its agents, employees, participants, and assigns.

This report is addressed to the owner/client, such other persons as may be designated by owner/client and their respective successors and assigns. Special conditions include (i) the report may be relied upon owner/client in determining whether to make a loan evidenced by a note ("the Property Note") secured by the subject property, (ii) the Report may be relied upon by any purchaser in determining whether to purchase the

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property note from owner/client and any rating agency rating securities issued by or representing an interest in the Mortgage Note, (iii) the report may be referred to in and included with materials offering for sale the property note or an interest in the property note, (iv) persons who acquire the property note or an interest in the property note may rely on the report, (v) the report speaks only as of its date in the absence of a specific written update of the report signed and delivered by contractor. This report has no other purpose and may not be relied upon by any other person or entity without written consent of Parra Building Consultants

000482

DETERMINATION OF
ENVIRONMENTAL EXEMPTION

Pursuant to the California Environmental Quality Act (CEQA) and State CEQA Guidelines

Agency: CITY OF SAN DIEGO

Project No.: 82092

Date: September 27, 2005

Action/Permit(s): Tentative Map, Process 4

Description of Activity: 3650 Florida Street Tentative Map to convert 24 residential units to condominium units on a .6-acre site within the MR-1000 Zone in the Mid City Community Plan Area. Applicant: Nicole Noble 619-546-6165 point of contact.

Location of Activity: 3660 Florida Street, San Diego, Lots 41-46 of Virginia Square, City and County of San Diego.
3650

1. This activity is **EXEMPT FROM CEQA** pursuant to:
- Section 15060(b) (3) of the State CEQA Guidelines (the activity is not a project as defined in Section 15378).
2. This project is **EXEMPT FROM CEQA** pursuant to State CEQA Guidelines Section checked below:

ARTICLE 19 of GUIDELINES CATEGORICAL EXEMPTIONS (Incomplete list)		ARTICLE 18 of GUIDELINES STATUTORY EXEMPTIONS (Incomplete list)	
Section	Short Name	Section	Short Name
<input checked="" type="checkbox"/> 15301(k)	Existing Facilities	<input type="checkbox"/> 15261	Ongoing Project
<input type="checkbox"/> 15302	Replacement or Reconstruction	<input type="checkbox"/> 15262	Feasibility and Planning Studies
<input type="checkbox"/> 15303	New Construction or Conversion of Small Structures	<input type="checkbox"/> 15265	Adoption of Coastal Plans and Programs
<input type="checkbox"/> 15304	Minor Alterations to Land	<input type="checkbox"/> 15268	Ministerial Projects
<input type="checkbox"/> 15305	Minor Alteration in Land Use	<input type="checkbox"/> 15269	Emergency Projects
<input type="checkbox"/> 15306	Information Collection	<input type="checkbox"/> Other	
<input type="checkbox"/> 15311	Accessory Structures		
<input type="checkbox"/> 15312	Surplus Government Property Sales		
<input type="checkbox"/> 15315	Minor Land Divisions		
<input type="checkbox"/> 15317	Open Space Contracts or Easements		
<input type="checkbox"/> 15319	Annexation of Existing Facilities and Lots for Exempt Facilities		
<input type="checkbox"/> 15325	Transfer of Ownership of Interest in Land to Preserve Open Space		
<input type="checkbox"/> Other			

It is hereby certified that the City of San Diego has determined the above activity to be exempt:

Distribution: Development Project Manager
Permit Planner
Eileen Lower, Senior Planner
Reviewers file


Eileen Lower, SENIOR PLANNER
Environmental Analysis Section

Analyst: Lizzi



City of San Diego
Development Services
1222 First Ave. • 3rd Floor
San Diego, CA 92101-4154
(619) 446-5210

THE CITY OF SAN DIEGO www.sandiego.gov/development-services

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SAN DIEGO, CALIF.

Development Permit Appeal Application

See Information Bulletin 505, "Development Permits Appeal Procedure," for information on the appeal procedure.

1. Type of Appeal:

- Process Two Decision - Appeal to Planning Commission
- Process Three Decision - Appeal to Planning Commission
- Process Three Decision - Appeal to Board of Zoning Appeals
- Appeal of a Hearing Officer Decision to revoke a permit
- Process Four Decision - Appeal to City Council

2. Appellant Name Please check one Applicant Officially recognized Planning Committee "Interested Person" (Per M.C. Sec. 113.0103)
Affordable Housing Coalition of San Diego County and Citizens for Responsible Equitable Environmental Development,
c/o Cory J. Briggs, Briggs Law Corporation

Address	City	State	Zip Code	Telephone
99 East "C" Street, Suite 111, Upland, CA 91786				909-949-7115

3. Applicant Name (As shown on the Permit/Approval being appealed). Complete if different from appellant.

Unknown

4. Project Information

Permit/Approval Being Appealed & Permit/Approval No.:	Date of Decision:	City Project Manager:
82092-3650 Florida T.M.	8/7/08	Cherlyn Cac

Decision (describe the permit/approval decision):
The Planning Commission approved the application for a tentative map to convert residential units to condominiums without preparing an initial study or performing other study under the California Environmental Quality Act and in violation of other applicable laws, including the Subdivision Map Act.

5. Reason for Appeal

- Factual Error
- Conflict with other matters
- Findings Not Supported
- New Information
- City-wide Significance (Process Four decisions only)

Description of Reasons for Appeal (Please relate your description to the allowable reasons for appeal noted above. Attach additional sheets if necessary.)

The Planning Commission erred in approving the project without first preparing an initial study or performing any other study under the California Environmental Quality Act and in violation of San Diego Municipal Code §§ 125.0440(a)-(h), 142.1304, and 142.1305 and Government Code § 66412.3. The project does not qualify for exemption under section 15301 of the CEQA Guidelines. Furthermore, the project does not qualify for exemption due to the cumulative and other potential adverse environmental impacts of converting apartments to condominiums, especially in light of the numerous proposed conversions and the serious decline in affordable housing that the City of San Diego is facing. The City also has an independent obligation to conduct this environmental review under CEQA and the Subdivision Map Act (§ 66474). The opposition letter submitted by Briggs Law Corporation prior to approval of the project provides additional information that supports this appeal, including but not limited to the City's inability to make the finding required by Government Code § 66473.5 because the housing element has become invalid due to the City's failure to revise it lawfully and in a timely manner under Government Code § 65588(e). Evidence of cumulative impacts and other potential adverse environmental impacts of the conversions may not have been available to the person(s) on staff who made the determination of exemption or to the public until after the appeal period for the determination expired.

6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature Cory J. Briggs Date August 8, 2008

Note: Faxed appeals are not accepted.

PLANNING COMMISSION RESOLUTION NO. 4440-PC

PLANNING COMMISSION APPROVAL OF
TENTATIVE MAP NO. 257318 AND WAIVE THE REQUIREMENT TO UNDERGROUND
EXISTING OVERHEAD UTILITIES
3650 FLORIDA TENTATIVE MAP - PROJECT NO. 82092

WHEREAS, on August 7, 2008, the Planning Commission of the City of San Diego held a public hearing to consider Tentative Map No. 257318 and to waive the requirement to underground existing overhead utilities; and

WHEREAS, Matthew S. Browar and Nancy A. Browar, in their capacity as Trustees of the M.S. Broward Family Trust dated 2/9/88, Owner/Permittee, requested Tentative Map No. 257318 to convert 24 existing residential units into condominiums and to waive the requirement to underground existing overhead utilities; and

WHEREAS, the Planning Commission of the City of San Diego has considered all maps, exhibits, and written documents contained in the file for this project on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW THEREFORE,

BE IT RESOLVED, by the Planning Commission of the City of San Diego that it hereby approve Tentative Map No. 257318 and approve the waiver to the requirement to underground existing overhead utilities.



Cherlyn Cac
Development Project Manager
Development Services

Dated August 7, 2008

By a vote of: 4:1:2

**PLANNING COMMISSION OF THE CITY OF SAN DIEGO
MINUTES OF REGULAR SCHEDULED MEETING OF
AUGUST 7, 2008
IN CITY COUNCIL CHAMBERS - 12TH FLOOR
CITY ADMINISTRATION BUILDING**

CHRONOLOGY OF THE MEETING:

Chairperson Schultz called the meeting to order at 9:06 a.m. Chairperson Naslund adjourned the meeting at 5:14 p.m.

ATTENDANCE DURING THE MEETING:

Chairperson Barry Schultz – not present
Vice-Chairperson - Eric Naslund –present
Commissioner Robert Griswold – present
Commissioner Gil Ontai –present
Commissioner Dennis Otsuji - present
Commissioner Mike Smiley – not present
Commissioner Tim Golba - Present

Staff

Rachel Lipsky, City Attorney - present
Mary Wright, Planning Department – present
Mike Westlake, Development Services Department - present
Elisa Contreras, Recorder – present

PLANNING COMMISSION MINUTES OF AUGUST 7, 2008

Staff: Paul Godwin

Speaker slip submitted in favor of project by Tim Baker.

No speaker slips submitted oppose to project.

COMMISSION ACTION:

CONSENT MOTION BY COMMISSIONER OSTUJI TO RECOMMEND TO THE CITY COUNCIL APPROVE THE EXTENSION OF TIME FOR SITE DEVELOPMENT PERMIT NO. 540162, VESTING TENTATIVE MAP NO. 540163, PUBLIC RIGHT-OF-WAY VACATION NO. 576335 AS PRESENTED IN REPORT NO. PC-08-101 . Second by Commissioner Golba. Passed by a vote of 5-0-2 with Commissioner's Schultz, Smiley not present. Resolution No. 4439-PC

ITEM-16: **3650 FLORIDA TENTATIVE MAP – PROJECT NO. 82092**

City Council District: 3; Plan Area: Greater North Park

Staff: Cherlyn Cac

Speaker slips submitted in favor of project by Scott Peters.

No speaker slips submitted oppose to project.

COMMISSION ACTION:

CONSENT MOTION BY COMMISSIONER OSTUJI TO APPROVE TENTATIVE MAP NO. 257318; AND APPROVE WAIVER TO THE REQUIREMENT TO UNDERGROUND EXISTING OVERHEAD UTILITIES AS PRESENTED IN REPORT NO. PC-08-097 . Second by Commissioner Golba. Passed by a vote of 4-1-2 with Commissioner Griswold voting nay and Commissioner's Schultz, Smiley not present. Resolution No. 4440-PC